



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

#### **Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

#### **County Manager**

David Smith

#### **Clerk of the Board**

Fran McCarroll

#### **Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

## **FORMAL MEETING MINUTES**

### **BOARD OF SUPERVISORS MARICOPA COUNTY, ARIZONA**

(and the Boards of Directors of the Flood Control District, Library District, Stadium District, Improvement Districts and/or Board of Deposit)

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Board of Deposit	No Meeting

**Wednesday, July 22, 2009  
9:00 AM**

**1. INVOCATION**

Fran McCarroll, Clerk of the Board, gave the invocation.

**2. PLEDGE OF ALLEGIANCE**

Bill Warren, Assistant Risk Manager, led the Pledge to the Flag.

**3. ROLL CALL**

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 AM on Wednesday, July 22, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

**BOARD OF SUPERVISORS**

**4. Presentation of flag to Maricopa County by Bill Warren, Assistant Risk Manager.**

Mr. Warren flew an American flag in honor of the Board of Supervisors, County Manager and all employees of Maricopa County, while mobilized with the US Navy SEABEE's to Al Asad Air Base, Iraq and Kandahar Air Base, Afghanistan. It is with great pride that he presents this flag to Maricopa County.

Bill Warren, Safety Manager for Maricopa County, said his "weekend job" for years has been as Equipment Master Chief in the U. S. Navy "in the construction force of Choice of the United State's Military," the SEABEES.

In June 2008 he was recalled to active duty in Iraq where he served until January 2009 when he was reassigned to Afghanistan where the SEABEES created three forward operating bases for incoming marines to use during Operation Enduring Freedom.

He said the whole experience allowed him to reflect on and appreciate life in America and, in particular, his 34 years in the employ of Maricopa County. He recalled the many new people he met and things that were accomplished during those years and said he remains "in awe of the things we are able to accomplish here in Maricopa County."

On February 12, 2009 – Abraham Lincoln's birthday – at Kandahar Airfield, Afghanistan, Chief Warren flew an American Flag in honor of Maricopa County and to represent the Board of Supervisors, the County Management team and all the employees of Maricopa County as his way of saying "thank you" to each one.

Chief Warren presented a large glass enclosed and inscribed case holding the folded American Flag to the Board of Supervisors, County Manager David Smith and Risk Management Director Peter Crowley.

To add his own sense of honor to the event, Chairman Wilson carried the case as he walked the center aisle of the Supervisors' Auditorium to give those attending a closer look at the inscription and flag.

**5. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL**

Dr. Silva, Assistant County Manager and Director of Animal Care and Control (AC&C), said their kennels are full of Chihuahuas and the number of these and other small dogs has doubled in the past few years.

He brought two-year old "Happy" to introduce in the Pet Showcase today, hoping to entice residents to adopt him and/or the many others dogs now housed at AC&C. He added that Chihuahuas are now about 10% of the total dog population.

Dr. Silva also noted that the shelter has many kittens at \$50 and adult cats at \$25 - and the second cat is half price. All the animals are neutered and have received their vaccinations before they leave AC&C with their new family.

**STATUTORY HEARINGS**

**Clerk of the Board**

**6. LIQUOR LICENSE APPLICATIONS**

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

**a. SPECIAL EVENT FOR FOUNTAIN OF LIFE LUTHERAN CHURCH**

~~Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Joanne Devries for the Fountain of Life Lutheran Church at 15630 N. Del Webb Boulevard, Sun City, AZ 85351 to be held on October 25, 2009 from 4:00 p.m. to 9:00 p.m. (Supervisory District 4) This item was continued from the June 17, 2009 meeting. (C-06-09-441-L-00)~~

**Staff recommends withdrawing this item due to incomplete application.**

Motion to withdraw at the recommendation of staff, by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. SPECIAL EVENT FOR THE KNIGHTS OF COLUMBUS ST. CLARE OF ASSISI COUNCIL 12851**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by John J. Finan for the Knights of Columbus St. Clare of Assisi Council 12851 at 14818 W. Deer Valley Road, Sun City West, AZ 85375 to be held on February 6, 2010 from 6:00 p.m. to 11:00 p.m. (Supervisory District 4 ) (C-06-09-474-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**c. NEW LICENSE FOR SAGUARO PIZZERIA**

Pursuant to A.R.S. § 4-201, approve an application filed by Rebecca Marie Johnson for a New Series 12 Liquor License for Saguaro Pizzeria at 13821 W. Glendale

Avenue, Glendale, AZ 85307 (AZ12078029) (Supervisory District 4) (C-06-09-473-L-00) **Planning and Development recommends denial.**

Motion to deny as recommended by the Planning and Development staff because there is no tenant improvement permit and no Certificate of Occupancy, by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. NEW LICENSE FOR NATIVE NEW YORKER**

Pursuant to A.R.S. § 4-201, approve an application filed by Amy S. Nations for a New Series 12 Liquor License for Native New Yorker at 3668 W. Anthem Way, Suite B132, Anthem, AZ 85086 (AZ 12078046) (Supervisory District 3) (C-06-09-471-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**e. NEW LICENSE FOR CIRCLE K STORE #9165**

Pursuant to A.R.S. § 4-201, approve an application filed by Kim Kenneth Kwiatkowski for a New Series 10 Liquor License for Circle K #9165 at 9848 W. Bell Road, Sun City, AZ 85351. (AZ10075819) (Supervisory District 4 ) (C-06-09-472-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**Public Works**

**7. ROAD FILE DECLARATIONS**

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

**a. ROAD FILE NO. 5822**

General Vicinity: Pinnacle Peak Road and 123rd Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-187-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. ROAD FILE NO. 5823**

General Vicinity: 27th Avenue (alignment) and Daisy Mountain Drive. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 3 (C-91-09-188-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. ROAD FILE NO. 5824**

General Vicinity: Anthem Way and 19th Avenue (alignment). This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 3 (C-91-09-189-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. ROAD FILE NO. 5825**

General Vicinity: Gavilan Peak Parkway and Navigation Way. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 3 (C-91-09-186-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**e. ROAD FILE NO. 5826**

General Vicinity: Daisy Mountain Drive and Gavilan Peak Parkway. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 3 (C-91-09-185-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**f. ROAD FILE NO. 5827**

General Vicinity: Gavilan Peak Parkway and Navigation Way. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 3 (C-91-09-184-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**g. ROAD FILE NO. 5828**

General Vicinity: Daisy Mountain Drive and Gavilan Peak Parkway. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 3 (C-91-09-182-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**h. ROAD FILE NO. 5829**

General Vicinity: Daisy Mountain Drive and Gavilan Peak Parkway. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 3 (C-91-09-183-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **Constables**

#### **8. APPLY AND ACCEPT CONSTABLE ETHICS AND TRAINING BOARD EQUIPMENT GRANT FOR PURCHASE OF TASER UNITS**

Approve the application and acceptance of grant funds from Constable Ethics, Standards and Training Board, (CNA09-63), in the not-to-exceed amount of \$6,735.60 for the purchase of taser units. The grant award begins on July 22, 2009, and ends on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Constables or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Constables' composite indirect cost rate at 10.9%, or \$734.00. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$0.

Pursuant to A.R.S. §42-17106(B), approve revenue and expenditure appropriation adjustments to the Constables (250) General Fund (100) Non-Recurring/Non-Project (0001) budget associated with the grant in the amount of \$6,735 for FY 2009-10. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The applicants for this grant will be purchasing eight X26E Advanced Tasers and accessories with extended digital power magazines. These tasers will allow for the replacement of older units which were donated to the Maricopa County Constables Department by the Youngtown Police Department. The Maricopa County Sheriff's Office has discontinued the purchase of the older units and no longer stocks cartridges and accessories. (C-25-10-001-G-00)

Supervisor Wilcox said that Constables often face dangers on duty and she felt these items were necessary and was in support of items 8 through 11.

Supervisor Brock expressed agreement with the Constables support of non-lethal forms of self-defense by the use of Tasers.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **9. APPLY AND ACCEPT CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD EQUIPMENT GRANT FOR PURCHASE OF VEHICLE SAFETY LIGHTING**

Approve the application and acceptance of grant funds from Arizona Constable Ethics, Standards & Training Board, (CNA09-66), in the not-to-exceed amount of \$6,394.01 for the purchase of vehicle safety lighting. The grant award begins on July 22, 2009, and ends on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds,

as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Constables or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Constables' composite indirect cost rate at 10.9%, or \$697.00. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$0.

Pursuant to ARS §42-17106(B), approve revenue and expenditure appropriation adjustments to the Constables (250) General Fund (100) Non-Recurring/Non-Project (0001) budget associated with the grant in the amount of \$6,394 for FY 2009-10. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The applicants for this grant will be purchasing five vehicle safety lighting systems. These safety lights will allow for enhanced vehicle safety while Constable and Constable Deputies are working in the field. (C-25-10-002-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**10. APPLY AND ACCEPT CONSTABLES ETHICS, STANDARDS AND TRAINING BOARD EQUIPMENT GRANT FOR PURCHASE OF LAPTOP COMPUTERS AND SOFTWARE AGREEMENTS**

Approve the application and acceptance of grant funds from Constable Ethics, Standards and Training Board, (CNA09-65), in the not-to-exceed amount of \$5,063.01 for the purchase of two laptop computers and software agreements. The grant award begins on July 22, 2009, and ends on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Constables or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Constables' composite indirect cost rate at 10.9%, or \$552.00. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$0. Pursuant to A.R.S. §42-17106(B), approve revenue and expenditure appropriation adjustments to the Constables (250) General Fund (100) Non-Recurring/Non-Project (0001) budget associated with the grant in the amount of \$5,063 for FY 2009-10. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The applicants for this grant will be purchasing two laptop computers and software agreements. These two laptop computers will be used primarily in the field in conjunction with the Constables civil warrant arrest program. (C-25-10-003-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**11. APPLY AND ACCEPT CONSTABLES ETHICS, STANDARDS AND TRAINING BOARD EQUIPMENT GRANT FOR PURCHASE OF BALLISTIC VESTS**

Approve the application and acceptance of grant funds from Constable Ethics, Standards and Training Board, (CNA09-64), in the not-to-exceed amount of \$1,392 for the purpose of purchasing ballistic vests (body armor) for the three newly elected Constables. The grant

award begins on July 22, 2009, and ends on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Constables or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Constables' composite indirect cost rate at 10.9%, or \$152. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$0.

Pursuant to A.R.S. §42-17106(B), approve revenue and expenditure appropriation adjustments to the Constables (250) General Fund (100) Non-Recurring/Non-Project (0001) budget associated with the grant in the amount of \$1,392 for FY 2009-10. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The applicants for this grant will be used to purchase three ballistic vests for the three newly elected Constables. Constables are continually encountering armed and hostile individuals during performance of their duties. These protective vests will add a great measure of protection. (C-25-10-004-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **County Attorney**

#### **12. VICTIM ASSISTANCE GRANT FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION**

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. VA-10-024, in the amount of \$130,500. These grant funds are for providing assistance services to victims of criminals being prosecuted. The grant award begins on July 1, 2009 and ends on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14.4%, or \$18,792. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$18,792. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law.

This award agreement is in the amount of \$130,500.00 and will be used to support three FTE Advocates (PCN 12371, 19116, 19718). In Kind Matching Funds will come from the County Attorney (190) General Fund (100) salaries and benefits of three FTE Advocates (PCN 12073, 14481, 846). This grant will expire at the end of the award period unless prior written approval for an extension has been obtained from the Arizona Criminal Justice Commission. Payments of grant funds are conditioned upon the availability of funds appropriated or allocated for the payment of these funds. There is no long term expectation of continued funding for this grant. However, the County Attorney's office has been receiving funds through this grant program for the last 14 fiscal years, with the most recent funding for the period of July 1, 2008 through June 30, 2009 in the amount of \$116,000. (C-19-09-057-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson



**13. FEDERAL VICTIM COMPENSATION FUNDS THROUGH THE ARIZONA CRIMINAL JUSTICE COMMISSION**

Approve acceptance of \$672,477 in additional grant funds from the Arizona Criminal Justice Commission. These funds come from Federal Fiscal Year 2008-2009 Victims of Crime Act funds passed through the Arizona Criminal Justice Commission. The Arizona Criminal Justice Commission certification number VC-09-056 funding commences October 1, 2008 and will terminate on September 30, 2009. These monies are to be used solely for the benefit of victims of crime through the Maricopa County Victim Compensation Program. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$94,147. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$94,147. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by budget law.

These additional funds in the amount of \$672,477 will be used to provide compensation awards to victims of criminally injurious conduct within Maricopa County. The Maricopa County Attorney's Office assures compliance with the Victim Compensation Program Rules R10-4-101 through R10-4-111 et. seq. and the Guidelines for Crime Victim Organizational Audit requirements of Federal OMB Circular A-133, "Audits of State, Local Government and Non-Profit Organizations." There is no expectation of continued funding. No signature is required for receipt of the additional grant funds (C-19-09-008-G-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**14. GRANT FUNDS FROM THE ARIZONA AUTOMOBILE THEFT AUTHORITY**

Approve the acceptance of grant funds from the Arizona Automobile Theft Authority in the amount of \$238,348.00 and authorize the Chairman to sign all related documents. These grant funds are intended to be used exclusively for reimbursement of expenditures related to the prosecution of Arizona Vehicle Theft Task Force auto theft cases. This grant agreement commences on July 1, 2009 and will terminate on June 30, 2010. The grant allows a 0% rate for indirect costs, or \$0 that may be incurred by the County Attorney's Office of Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate for FY 2009-10 at 14.4%, or \$34,322. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$34,322. This grant does not require Maricopa County to provide any matching funds, nor does it require any on-going continuation of effort after termination of the grant program. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law.

This award agreement is in the amount of \$238,348.00. These grant funds are intended to be used exclusively for reimbursement of salary expenditures related to one (2) FTE Prosecutors (PCN 65132, 12696), and (1) FTE Paralegal (PCN 63192), who will give priority to the prosecution of Arizona Vehicle Theft Task Force auto theft cases. The Arizona Automobile Theft Authority enters into this agreement pursuant to its authority granted under A.R.S. 41-3451. This grant will expire at the end of the agreement, unless prior written approval for an extension has been obtained from the Arizona Automobile Theft Authority. The funds will be used to track and report total number of vehicle theft cases filed, of vehicle theft cases adjudicated and type of sentencing imposed, on number of responses to Arizona

State task force investigative activities, of repeat offenders, and report convictions. The Maricopa County Attorney's Office has received Maricopa County Board of Supervisors approval for the acceptance of Arizona Automobile Theft Authority awards since FY 1997-98. (C-19-09-058-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**15. STATE VICTIM COMPENSATION FUNDS FROM ARIZONA CRIMINAL JUSTICE COMMISSION**

Approve acceptance of \$1,558,831 in grant funds from the Arizona Criminal Justice Commission. These funds come from the FY 2009-2010 State Crime Victim Compensation program administered by the Arizona Criminal Justice Commission. The Arizona Criminal Justice Commission certification number VC-10-056 funding commences July 1, 2009 and will terminate on June 30, 2010. These monies are to be used solely for the benefit of victims of crime through the Maricopa County Victim Compensation Program. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14.4%, or \$224,472. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$224,472. This is in accordance with paragraph 27, page 4 of the agreement. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by budget law.

This award agreement is in the amount of \$1,558,831. The purpose of this award is to provide compensation awards to victims of criminally injurious conduct occurring within the Operational Unit's jurisdiction. The Operational Unit assures compliance with the Crime Victim Compensation Program rules R10-4-101 through R10-4-111 et. seq., the guidelines for Crime Victim Organizational audit requirements of OMB Circular A-133 - audits of States, Local Government and Non-Profit Organizations, and 28 CFR Part 66. This award will also be used to support three FTE Advocates (PCN 845, 19721, 19722), and one FTE Accountant (PCN 62048). There is no expectation of continued funding. The County Attorney has received this funding for over 15 years. (C-19-09-065-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**16. FEDERAL VICTIM ASSISTANCE GRANT FUNDS FROM ARIZONA DEPARTMENT OF PUBLIC SAFETY**

Approve acceptance of grant funds from the Arizona Department of Public Safety Victim Assistance Grant Program in the amount of \$49,509. This agreement, DPS Contract No. 2009-192, shall commence on July 1, 2009 and terminate on June 30, 2010. Authorize the Chairman to sign all documents related to this agreement. In accordance with Crime Victim Assistance Guidelines, Section III., Paragraph h., sub-paragraph vi. (on page 19 of the guidelines) the grant allows a 0% rate for indirect costs, or \$0 that may be incurred by the County Attorney's Office of Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate for FY 2009-10 at 14.4%, or \$7,129. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$7,129. The Maricopa County Attorney's Office recognizes that this grant requires a cash equivalent match of \$12,377 and has the resources to provide this match. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore

expenditure of the funds is not prohibited by the budget law.

This award agreement, Arizona Department of Public Safety, Victims of Crime Act, Victim Assistance Grant Program, CFDA #16-575 Sub-grant Award, is in the amount of \$49,509. The Maricopa County Attorney's Office agrees that these funds will be used to reimburse the costs of one (1) FTE Advocate PCN 65361 to assist victims of crime. The Maricopa County Attorney's Office recognizes that this grant requires a match of \$12,377 that will be supplied through the budgeted County Attorney (190) General Fund (100) salary and benefits of one (1) FTE PCN 65199. The Maricopa County Attorney's Office has received Maricopa County Board of Supervisors approval for the acceptance of Arizona Department of Public Safety, Victims of Crime Act, Victim Assistance Grant Program awards previously, with the most recent funding being awarded in fiscal year 2008/2009 in the amount of \$52,250. (C-19-09-066-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Elections**

### **17. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR PURCHASE OF RECORDER COMPUTERS\SERVERS\PRINTERS\STORAGE**

Approve an exception to the Technology Finance Program (TFP) for the Recorders Office to purchase computers\servers\printers and storage equipment through an one-time expenditure from the Recorder's Surcharge fund (236) The estimated cost of the computer equipment is \$684,000. Approval of this action will support the Recorder's Office replacement of obsolete computer equipment and increase the storage capacity of the Recorder's Information System. This request is due to funding being non-recurring and not used for on-going operations. (C-36-09-007-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **18. GRANT FUNDING FROM STATE SUBGRANTS FOR HEALTH AND HUMAN SERVICES - SUPPORT HELP AMERICA VOTE ACT**

Approve and authorize the Elections Department to submit application for grant funding as described on the attached application for the State Sub grants for Health and Human Services (HHS), Election Assistance for Individuals With Disabilities (EAID) program administered by the Secretary of State, and authorize the Chairman to approve the receipt of any and all such funds awarded. The funding will support the Department's Help America Vote Act of 2002. The total amount of funds requested is \$13,827.00. The grant period will cover the periods July 1, 2008 through June 30, 2010. The department's indirect cost rate is 35.5%. Since the grant funds are being used for the Poll Worker Recruiting Program, indirect costs (\$4,908.59) are unrecoverable, and no matching dollars pertain to this grant.

Maricopa County and the Elections Department are eligible to apply for and receive grant funding through various state agencies. Maricopa County must apply for these funds and the Board of Supervisors must duly authorize the application. Maricopa County currently has voters who request well trained and knowledgeable poll worker assistance at the polls. The grant will allow Maricopa County to create a poll worker recruiting program, enabling the Elections Department to hire workers, and provide them with exception training. (C-21-09-005-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Sheriff**

**19. ACCEPT FUNDS FROM ARIZONA CRIMINAL JUSTICE COMMISSION FIRE SUPPRESSION APPROPRIATION**

Approve the acceptance of funds from the Arizona Criminal Justice Commission (ACJC), Fire Suppression Appropriation FY 2009, Certification of Appropriation in the amount of \$34,744.16

The Sheriff's Office indirect cost rate for FY 2009 is 12.2%. Unrecoverable indirect costs associated with this funding are estimated to be \$4,238.79. (C-50-10-002-G-00)

Supervisor Brock commented on this Grant that will fund a system that surrounds the gas tank on Sheriff's vehicles to help prevent fire if the car is rear-ended. He referenced Phoenix Police Officer Jason Schechterle, who was terribly burned (March 26, 2001) when a speeding taxi crashed into the rear of his patrol car, exploding the gas tank, and trapping him inside the flaming patrol car.

Supervisor Brock expressed his support of the agenda items that would provide additional safety to Sheriff's deputies and other enforcement officers.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**20. AMERICAN RECOVERY AND REINVESTMENT ACT GRANT THROUGH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR MARICOPA COUNTY NEIGHBORHOOD NARCOTICS ENFORCEMENT TEAM**

Approve the Grant Agreement between the Arizona Criminal Justice Commission and Maricopa County through the Maricopa County Sheriff's Office providing funding through the American Recovery and Reinvestment Act (ARRA) of 2009 in the amount of \$412,000 for the Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET). The term of Agreement Number DC-10-021 is from July 1, 2009 through June 30, 2010.

An amount for this grant was included in the FY 2010 Sheriff's Office budget submission.

The Sheriff's Office FY2010 indirect cost rate is 16.6%. The grant will incur subrecipient costs totaling \$165,197 which are not subject to indirect cost recovery. The unrecoverable indirect cost of administering the grant is \$40,969.29.

The Sheriff's Office has been applying for and receiving funding awards for this specific program for 14 continuous years and is the designated pass through agency to other local governments. (C-50-10-003-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**21. EXCEPTIONS TO TECHNOLOGY FINANCE PROGRAM FOR SHERIFF'S OFFICE GRANTS**

Approve exceptions to the Technology Finance Program (TFP) for applicable equipment items and their related components that have been acquired or will be acquired on the basis

of funding approved in Board of Supervisors actions for various grants: C-50-06-514-2-05; C-50-08-540-3-02; C-50-09-064-M-00.

The Board has previously approved funding for these grant awards. This action is necessary to ensure alignment and compliance with new policies concerning procurement of equipment and technology related items and the expanded definition of TFP items (e.g. radios). (C-50-10-004-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**22. COST REIMBURSEMENT MOU WITH THE U.S. MARSHALS OFFICE FOR OVERTIME**

Approve a Memorandum of Understanding (MOU) with the U.S. Marshals Office that provides acceptance by the Sheriff's Office of up to \$10,000 in overtime reimbursement for deputy(s) working the Arizona Wanted Task Force Operation in Maricopa County. The term of this funding is June 5, 2009 through June 5, 2010.

Approval of this item does not impact the overall appropriation for revenue and expenditures in Sheriff's FY 2010 Fund (251).

The Sheriff's Office FY2010 indirect cost rate is 16.6%. The unrecoverable indirect cost associated with this funding are estimated to be \$1,660. (C-50-10-005-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**23. AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2008 HOMELAND SECURITY GRANT PROGRAM AWARD- HORSE MESA DAM**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and the Maricopa County Sheriff's Office, for the 2008 Homeland Security Grant Program, Award Number 444207-04 and acceptance of \$193,030.00 in grant funding for the 2008 Buffer Zone Protection Plan (BZPP) Horse Mesa Dam. The purpose of this funding is to strengthen both the prevention and response to events that could occur in the vicinity of the dam and is part of an overall regional security plan.

A portion of this funding is specifically designated for the purchase of mobile and marine radios and one generator/air compressor. The term of this award is September 1, 2008 through May 31, 2011. This funding was included in the Sheriff's Office grant budget submission as "Buffer Zone Protection" for FY2010.

Also, approve an exemption to the Technology Finance Program (TFP) for the one-time purchase of specialty dive equipment, mobile and marine radios and one generator/air compressor designated by AZDOHS for this project.

The Sheriff's Office indirect cost rate for FY2010 is 16.6%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$21,521.90. There will be capital purchases associated with this grant that are not included in the indirect cost calculation. (C-50-10-007-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**24. AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2008 HOMELAND SECURITY GRANT PROGRAM AWARD– MORMON FLAT DAM**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and the Maricopa County Sheriff's Office, for the 2008 Homeland Security Grant Program, Award Number 444207-02 and acceptance of \$168,030.00 in grant funding for the 2008 Buffer Zone Protection Plan (BZPP) Mormon Flat Dam. The purpose of this funding is to strengthen both the prevention and response to events that could occur in the vicinity of the dam and is part of an overall regional security plan.

A portion of this funding is specifically designated for the purchase of one submersible robot with associated sonar and imaging. The term of this award is September 1, 2008 through May 31, 2011. This funding was included in the Sheriff's Office grant budget submission as "Buffer Zone Protection" for FY2010.

Also, approve an exemption to the Technology Finance Program (TFP) for the one-time purchase of up to three Toughbook laptops, dive computers and specialized software and one submersible robot with associated sonar and imaging designated by AZDOHS for this project. These computers will be tracked separately from the Sheriff's Office computers with no automatic replacement from the general fund at the end of their useful lives.

The Sheriff's Office indirect cost rate for FY2010 is 16.6%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$10,088.65. There will be capital purchases associated with this grant that are not included in the indirect cost calculation. (C-50-10-008-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**25. AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2006 HOMELAND SECURITY GRANT PROGRAM AWARD #222207-12**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Maricopa County Sheriff's Office, for the 2006 Homeland Security Grant Program Award, Number 222207-12 and acceptance of \$2,132.38. The retroactive term of this award is October 1, 2006 through June 30, 2009.

Also, retroactively approve an exception to the Technology Finance Program (TFP) for the one-time purchase of EOD (Explosive Ordinance Disposal) Camera Equipment designated by the AZDOHS for this project.

The Sheriff's Office indirect cost rate for FY2009 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$260.15. (C-50-10-009-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**26. DONATIONS TO SHERIFF'S OFFICE**

Accept \$750 in donations to the Sheriff's Office designated for the MASH unit (Maricopa Animal Safe Hospice). One donation is from the Sun City Grand Pet Club for \$500 and the other is for \$250 from Kathy and Paul Donaldson. (C-50-10-010-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**27. DONATIONS**

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for June 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-10-014-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Superintendent of Schools**

**28. IGA WITH SUPERINTENDENT OF SCHOOLS' OFFICE AND RECORDER'S OFFICE FOR ELECTIONS SERVICES**

Approve the Intergovernmental Agreement (IGA) between the Maricopa County Recorder's Office and the Maricopa County Superintendent of Schools' Office (MCSOS).

The Board of Supervisors, as administered by the County Recorder, has the duty to conduct elections in Maricopa County, including establishing, abolishing and changing election precincts, appointing inspectors and judges of elections, canvassing election returns, declaring the election result and issuing certificates thereof under A.R.S. §11-251(3).

For regular school district elections in Maricopa County, the School Superintendent shall contract with the Board of Supervisors to conduct the elections under A.R.S. §15-302(A)(7). In addition, the School Superintendent and the Recorder each contract with the school districts directly to conduct school elections. This Agreement outlines the responsibilities of each of the parties to conduct elections Maricopa County. The Parties agree to cooperate and assist each other in meeting the mutual obligations and duties of each office because it is good public policy and benefits the citizens of Maricopa County.

This Agreement shall become effective from and after the date of its execution and will continue in full force and effect from year-to-year, with no requirement of renewal until such as either party terminates the agreement as provided in section 5.4. (C-37-10-002-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Treasurer**

**29. TREASURER'S COLLECTIONS AND INVESTMENT SUMMARY FOR FEBRUARY 2009**

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for February 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-09-021-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**30. TREASURER'S COLLECTIONS AND INVESTMENT SUMMARY FOR APRIL 2009**

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for April 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR)

approved retention schedule. (ADM4006) (C-43-09-022-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**31. TREASURER'S COLLECTIONS AND INVESTMENT SUMMARY FOR MAY 2009**

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for May 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-09-024-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**32. TAX DEED LAND SALE-SILVERGATE III HOMEOWNERS ASSOCIATION**

Pursuant to A.R.S. §42-18303(E) accept the cash offer of \$1,000 by Silvergate III Homeowners Association on the following tax deed land parcels, 302-80-382, and 302-80-383, for which the following conditions apply:

1. Both the property offered for sale and the contiguous property were at one time under common ownership, or the property offered for sale is part of a common area maintained by a homeowners' association as determined by the County Assessor.
2. The property offered for sale cannot be separately used for residential purposes pursuant to applicable building codes and ordinances of the jurisdiction in which the property is located due to its size, configuration or recorded common area restrictions.

<b>Date Previously Offered</b>	<b>Parcel No.</b>	<b>Purchaser / Name for the Deed</b>	<b>Amount of Offer</b>	<b>Amount of charges against the parcel</b>
N/A	302-80-382	Silvergate III Homeowners Association	\$500	\$2,407.77
N/A	302-80-383	Silvergate III Homeowners Association	\$500	\$1981.51

Direct that the Treasurer's Office to accept payment and prepare the deed to convey the property sold and deliver to the Clerk of the Board for further processing. Pursuant to A.R.S. §42-18262(A), the proceeds from the sale in the amount of \$1000 will revert to the County General Fund. The Treasurer recommends to the Board of Supervisor that the offer be accepted. (C-43-09-023-8-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson



## **TRIAL COURTS**

### **Justice Courts**

#### **33. AMENDMENT TO NORTH MESA JUSTICE COURT LEASE**

Approve and execute Amendment No. 7 to the Full Service Lease No. L7171 with 1837 Property LLC for 8,998 square feet of Rental, for use by the Justice Courts, located at 1837 S. Mesa Drive, Mesa AZ. The lease period commences on September 1, 2009 and terminates on August 31, 2012. Annual rents, not including operations and maintenance fees and rental tax, for the initial term are:

<b>Year</b>	<b>Price Per Square Foot</b>	<b>Monthly Property Rents</b>	<b>Annual Property Rents</b>
FY 09-10	\$17.00	\$13,053	\$130,531
FY 10-11	\$17.00	\$13,053	\$26,106
FY 10-11	\$17.50	\$13,437	\$134,370
FY 11-12	\$17.50	\$13,437	\$26,874
FY 11-12	\$18.00	\$13,821	\$138,209
FY 12-13	\$18.00	\$13,821	\$27,642

This Amendment No. 7 to Lease No. L7171 will extend the North Mesa Justice Court lease for an additional three year term commencing September 1, 2009 and terminating August 31, 2012. The annual rent during the renewal term will be: Lease Year-1 at \$17.00 per rentable square foot, for an annual rent of \$152,966 plus tax; Lease Year-2 at \$17.50 per rentable square foot, for an annual rent of \$157,465 plus tax; and Lease Year-3 at \$18.00 per rentable square foot, for an annual rent of \$161,964 plus tax. (C-24-04-001-1-02)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Superior Court Judges and Commissioners**

#### **34. SUPERIOR COURT POSITION REQUEST**

Approve an exemption to the Post Employment Health Enhancement (Retirement) Program (PEHEP) requirement to delete a position being vacated as a result of employee participation in the plan. The Superior Court will need to rehire for the following positions: Administrator (PCN -65400), and Program Coordinator (PCN-2047).

PCNs 65400 and 2047 in the Superior Court were vacated as a result of the previous incumbents' participation in the 2009 Retirement Health Enhancement Program (RHEP).

Due to the incumbents' retirement the department will achieve approximately \$15,941 in budgeted savings for FY 2009-10 which is required under the 2009 Retirement Health Enhancement Program (RHEP). (C-80-09-020-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **35. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR REFRESH PURCHASE OF SUPERIOR COURT ELECTRONIC COURTROOM PCS**

Approve an exception to the Technology Finance Program (TFP) to allow the Superior Court to purchase e-courtroom computer equipment through a one-time expenditure from fund

balance in the Superior Court Special Revenue Fund (259). Total cost is estimated not-to-exceed \$58,000. In addition, pursuant to A.R.S. § 42-17106, transfer expenditure appropriation in the amount of \$58,000 from Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Superior Court (800) Superior Court Special Revenue Fund (259) Non-Recurring (0001).

Court Technology Services (CTS) of the Superior Court requests approval to purchase 64 new desktop PCs to replace units purchased as early as 2002 for use in electronic courtrooms. It is important to note that 114 units were previously approved for purchase, ordered, and that CTS received 50 of the 114 units in mid June, 2009. CTS realized that an error was made in the order and stopped delivery on the remaining 64 units. CTS can use the 50 units received without modification.

CTS requests permission to purchase the remaining 64 units in fiscal year 2010 with a slightly different configuration that has no cost differentiation from the 50 units already received.

Electronic courtrooms require a PC to operate the system's management software called For The Record (FTR). CTS has 114 electronic courtrooms where the FTR PC is four or more years old with many of them in them six to seven years old. The 50 PCs previously received and discussed above will work in the audio only electronic courtrooms. CTS needs 64 PCs in the desktop form factor (larger case) to allow room for the taller Audio/Video card required in other electronic courtrooms.

Court recording is a part of the Judicial Branch's core services. Problems with the FTR PCs will either delay the court proceedings or require that a court reporter manually record court proceedings. Either alternative will cost the court delays and more money.

Another costly impact to the court is the time invested by CTS. There are many hours spent by CTS to resolve FTR PC problems. An intangible impact is the frustration experience by the judicial officers and judicial staff. (C-80-10-001-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**36. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR REFRESH PURCHASE OF SUPERIOR COURT DATA STORAGE REPOSITORY**

Approve an exception to the Technology Finance Program (TFP) to allow Court Technology Services (CTS) of the Superior Court to purchase data storage repository equipment named Enterprise Virtual Array (EVA) through a one-time expenditure from fund balance in the Superior Court Special Revenue Fund (259). Total cost estimated not-to-exceed \$19,300. In addition, pursuant to A.R.S. § 42-17106, transfer expenditure appropriation in the amount of \$19,300 from Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Superior Court (800) Superior Court Special Revenue Fund (259) Non-Recurring (0001).

CTS last expanded the data storage repository about eighteen months ago after analyzing available disk space and rate of space consumption. Ultimately, CTS purchased enough additional disks to last this period of time. CTS has consumed the projected amount of space and must make additional storage available to allow for the iCIS database to grow as expected.

The price of the quoted drives, with tax, is \$19,202 and will provide 4.8 TB terrabytes (1.0 terrabyte equals 1,000 gigabytes) of additional raw disk space or approximately 3.6 TB of

usable space. This amount of space will allow the EVA to store data until the EVA reaches end of life and is completely replaced with a new unit along with other iCIS related hardware.

As the EVA storage solution is the primary data storage repository, running out of disk space on the CTS Enterprise Data Storage system would be catastrophic as without expansion, iCIS would cease to function. (C-80-10-002-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **COUNTY MANAGER**

### **Crime Prevention - Meth Program**

#### **37. CONTRACT WITH ARIZONA METH PROJECT INC**

Approve a Contract between the Arizona Meth Project Inc. (Employer Identification Number 26-3584528) and Maricopa County through the County Manager's Office in the amount of \$51,101. The purpose of this Contract is to provide one-time funding to the Arizona Meth Project Inc. for the purpose of outreach and media efforts. This Contract is effective from July 1, 2009 until June 30, 2010.

The AZ METH PROJECT has been managed by Maricopa County on behalf of the entire State of Arizona. At this time, both Maricopa County and the Meth Project Foundation agree that it is most appropriate for oversight of the Arizona Meth Project to transition to a 501(c)3 non-profit agency, as is the situation in other states where the Meth Project has a presence. The total amount of \$51,101 to be transferred is money currently held by Maricopa County, donated from private individuals, businesses, and Native American communities to help sustain the Arizona Meth Project. No Maricopa County funds are being transferred. (C-42-09-014-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **38. ACCEPT FUNDING AND MOU FOR EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FY 2009 LOCAL SOLICITATION**

1. Approve the acceptance of grant funding from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2009 Local Solicitation in the total amount of \$2,429,831.

2. Approve a Memorandum of Understanding (MOU) between Maricopa County; and the Cities of Avondale, Chandler, El Mirage, Glendale, Goodyear, Mesa, Peoria, Phoenix, Scottsdale, Surprise and Tempe; and the Town of Gilbert. This MOU is required pursuant to the grant application requirements. This MOU also includes a negotiated reallocation to Maricopa County of \$341,995 and \$2,087,836 in funds to be reallocated to the Cities of Avondale - \$12,254; Chandler - \$101,205; El Mirage - \$11,334; Glendale - \$172,060; Goodyear - \$14,172; Mesa - \$253,803; Peoria - \$38,058; Phoenix - \$1,268,192; Scottsdale - \$55,196; Surprise - \$14,401; and Tempe - \$118,919; and the Town of Gilbert - \$28,242. Funds received by Maricopa County will be used to support projects in County Manager/Justice System Planning and Information; Adult Probation, County Attorney's Office, and the Sheriff's Office. Further, grant awards are to be expended within a four (4) year period of time, starting October 1, 2008 and ending not more than 48 months later. The JAG grant does allow up to 10 percent of the award for costs associated with administering

JAG funds, and Maricopa County has been designated as the fiscal agent for this consortium of municipalities.

3. Approve the waiver of indirect costs above 10% of funding allocated to County Departments (County Manager/Justice System Planning and Information, Adult Probation, County Attorney, and Sheriff's Office). County Manager/Justice System Planning and Information will receive a total of \$136,798; at their FY09/10 indirect rate of 16.5%, their indirect costs are \$20,520.00 of which \$12,436.00 is recoverable and \$8,084.00 is unallowable/waived. Adult Probation will receive a total of \$68,399; at their FY09/10 indirect rate of 10.0%, their indirect costs are \$6,218.00 all of which is recoverable. The County Attorney's Office will receive a total of \$68,399; at their FY09/10 indirect rate of 14.4%, their indirect costs are \$8,954.00 of which \$6,218.00 is recoverable and \$2,736.00 is unallowable/waived. Sheriff's Office will receive a total of \$68,399; at their FY09/10 indirect rate of 16.6%, their indirect costs are \$10,322.00 of which \$6,218.00 is recoverable and \$4,104.00 is unallowable/waived. Total indirect costs are \$46,014.00 of which \$31,090.00 is recoverable and \$14,924.00 is unallowable/waived. Indirect costs over 10% are being waived so that a majority of the grant funding can be sub-granted to partner agencies, per the Memorandum of Understanding. (C-42-09-015-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **Office of the County Manager**

#### **39. RESOLUTION TO APPLY FOR AND ACCEPT TRIBAL GAMING FUNDS FROM THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY**

Pursuant to A.R.S. 5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Salt River Pima-Maricopa Indian Community for the Wilcox Late Night Basketball program in an amount not-to-exceed \$10,000. The grant period is July 1, 2009-June 30, 2010. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Salt River Pima-Maricopa Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

Pursuant to A.R.S. § 42-17106(b), if funds are approved, approve an appropriation adjustment to County Manager (200), Non-Departmental grant Fund (249), Non-operating/non-project (0001), increasing the FY 2009-10 revenue and expenditure budgets not-to-exceed \$10,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C-20-10-002-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **40. U.S. CENSUS 2009 PARTNERSHIP SUPPORT PROGRAM**

Approve the application by Maricopa County departments and/or divisions to the Partnership Support Program through the U.S. Census Bureau for the 2010 Census. All county departments and divisions are authorized to submit applications for programs or projects they deem appropriate for approval by the U.S. Census as part of the Census Bureau's

partnership program with local communities to raise public awareness of and participation in the 2010 Census. Maricopa County approved programs or projects will be paid for by the Census Bureau in a not to exceed amount of \$2,999 per project or program. County departments and/or divisions will work in conjunction with the appropriate U.S. Census Partnership Specialist in the completion of the application and approval process. This approval shall remain in place as long as the Partnership Support Program is in place.

The County Manager's Office will provide status reports to the Board on the projects or programs as requested. (C-20-10-003-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **Public Defender**

#### **41. APPLY AND ACCEPT EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT/ DRUG ENFORCEMENT ACCOUNT BYRNE FUNDING**

Approve the application and acceptance of grant funds from the Edward J. Byrne Memorial Justice Assistance Grant/ Drug Enforcement Account (DEA) in the total amount of \$342,187 for the Office of the Public Defender (520) portion. That amount is the FY 2008-09 actual grant award and is the amount that was budgeted for this grant in FY 2009-10 through the normal annual budget process. This grant is a recurring grant from the Arizona Supreme Court/Administrative Office of the Courts (AOC). The Office of the Public Defender applies for this grant jointly with Adult Probation, Clerk of the Superior Court, and Superior Court. These funds support the justice system by providing staff in all of these departments. In FY 2008-09, this grant funds 25.67 full-time equivalent positions. The Office of the Public Defender is requesting authorization to again apply for the DEA Grant for FY2009-10.

The grant award begins on July 1, 2009 and ends on June 30, 2010. However, the application for funding has historically been received after the start of the applicable fiscal year and with extraordinarily short turnaround time requirements. Therefore, the Office of the Public Defender is requesting advance approval to apply for the departmental share of these funds through a joint application with the Superior Court, Clerk of the Superior Court, and Adult Probation.

The grant does not allow for the recovery of indirect costs in FY 2008-09, and no change is anticipated in future years. Therefore, the Office of the Public Defender and Maricopa County may receive no administrative cost recovery for this grant in FY 2009-10. The Maricopa County Department of Finance has calculated the Office of the Public Defender's composite indirect cost rate at 10.0%. The non-recoverable indirect cost will not exceed \$34,219.

For FY 2008-09 the DEA Grant requires a 27% match, which is currently being met through an in-kind staffing match. It is expected that a similar match amount will be required in FY2009-10. The Office of the Public Defender intends to again provide an in-kind match through designation of existing General Fund staff.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. (C-52-09-006-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Legal Defender**

**42. EXEMPTION TO POST EMPLOYMENT HEALTH PLAN ENHANCEMENT (RETIREMENT) PROGRAM FOR PC/LAN TECH SUPPORT**

Approve an exemption to the Post Employment Health Plan Enhancement (Retirement) Program (PEHPEP), approved by the Board on March 16, 2009 and allow PC/LAN Tech Support, position 00063110 to remain an active position in the Office of the Legal Defender.

The Office of the Legal Defender requests an exemption to the RHEP requirement that positions vacated as a result of program participation be inactivate and further requests authorization to fill this position through normal County processes.

MRT: PC/LAN TECH SUPPORT  
Status: Classified  
Budgeted Rate: 22.80

Indigent Representation offices are operating at capacity resulting in a pressing need for the Office of the Legal Defender to fill this technical support position as quickly as possible to avoid technical interruptions to the work flow.

Assuming a replacement at the min-range is found to fill this position, the Office of the Legal Defender anticipates a personnel savings of \$13,961 for FY 2009-10.

No further reductions are required of the department at this time. (C-54-09-002-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**DEPUTY COUNTY MANAGER**

**Office of Enterprise Technology**

**43. AMENDMENT TO SUPPLEMENT AGREEMENT WITH CITY OF PHOENIX**

Approve Amendment No. 1 to Supplement Agreement No 1 (White Tanks West Facility) to the Intergovernmental Agreement (IGA) between City of Phoenix and Maricopa County through the Office of Enterprise Technology. The purpose of this amendment is to allow the City of Phoenix to add additional equipment to a County owned communications site on White Tanks Mountain. This amendment is non-financial and is effective from February 2, 2002 until January 31, 2012. All other coterminous terms and conditions of the Supplemental Agreement No 1 and the Intergovernmental Agreement remain in full force and effect.

On April 3, 2002 Maricopa County (C-76-02-019-2) and the City of Phoenix (90036) approved an Intergovernmental Agreement and Supplement Agreement No 1 for the White Tanks West Facility to exchange tower and building space with each other as needs arise. The Supplement Agreement No. 1 must now be amended to reflect additional equipment placed by the City of Phoenix within the County owned facility on White Tanks Mountain. The coterminous terms of the IGA and Supplement Agreement No.1 will remain the same with an expiration date of January 31, 2012. (C-76-02-019-2-03)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Health**

**44. DIETETIC INTERNSHIP AGREEMENT WITH JOHN C. LINCOLN HEALTH NETWORK**

Approve the Affiliation Agreement (Dietetic Internship Agreement) with John C. Lincoln Health Network d.b.a. John C. Lincoln Hospital – North Mountain, John C. Lincoln Hospital – Deer Valley, and other entities of Lincoln Limited Liability Company to provide clinical nutrition training experience for graduate students in the dietetic internship. The agreement is non-financial, and the term is to be from July 1, 2009 through June 30, 2011. (C-86-09-078-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**45. GRANT AWARD FOR THE FIRST THINGS FIRST - INJURY PREVENTION IN CENTRAL PHOENIX GRANT**

Approve the grant award from Arizona Early Childhood Development and Health Board, First Things First's (FTF-RC013-10-0006-00) Injury Prevention in Central Phoenix grant to Maricopa County through its Department of Public Health. The grant award is in the amount not-to-exceed \$266,003 for the budget term beginning July 1, 2009 through June 30, 2010. This contract can be renewed by First Things First on year to year basis for a total three year term.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. The Department of Public Health's indirect rate for FY 09-10 is 19.5%; therefore \$24,182 is allowable and \$22,973 is unallowable.

Funding for this grant will be provided by First Things First and will not affect the County general fund. (C-86-09-062-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**46. IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TOBACCO EDUCATION AND PREVENTION SERVICES**

Approve Intergovernmental Agreement (IGA) between the Arizona Department of Health Services (HG060018) and Maricopa County through its Department of Public Health for tobacco education and prevention services. This IGA provides funding in the amount of \$2,183,500 for contract term beginning July 1, 2009 through June 30, 2014.

The Department of Public Health's indirect rate for FY2009-2010 is 19.5%. ADHS only allows for 15% of Personnel Services and Employee Related expenses. The full indirect costs are estimated at \$356,303, of which \$199,514 is recoverable and \$156,789 is unrecoverable.

Funds for this IGA are provided by ADHS and do not increase the County's general fund. (C-86-10-001-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**47. GRANT AWARD FOR THE FIRST THINGS FIRST - NURSE-FAMILY PARTNERSHIP HOME VISITATION IN SOUTH PHOENIX GRANT**

Approve the grant award from Arizona Early Childhood Development and Health Board, First Things First's (FTF-MULTI-10-0007-00) Nurse-Family Partnership Home Visitation in South Phoenix grant to Maricopa County through its Department of Public Health. The grant award is in the amount not-to-exceed \$1,000,000 for the budget term beginning July 1, 2009 through June 30, 2010. Funding amount is tentative pending the approved grant award upon acceptance by the First Things First designee. This contract can be renewed by First Things First on year to year basis for a total three year term.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. The Department of Public Health's indirect rate for FY 2009-10 is 19.5%; therefore \$47,871 is allowable and \$45,477 is unallowable. Of the total award, an estimated \$473,419 will be sub recipient costs and will not be subject to indirect costs.

Funding for this grant will be provided by First Things First and will not affect the County general fund. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. (C-86-09-063-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**48. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICE FOR HIV PREVENTION SURVEILLANCE PROGRAM**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) No. HG652198 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide grant funding to the HIV Prevention/Surveillance Program. The amendment replaces the original price sheet with a new price sheet in the amount not to exceed \$746,982.50 for the budget period effective from January 1, 2009 through December 31, 2009. The term of this IGA is January 1, 2006 through December 31, 2011.

The Department of Public Health indirect rate for FY 2008-09 is 18%. This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement. The grant indirect costs are reimbursable at a rate of 10%. Full Indirect costs are estimated at \$122,233.50, of which \$67,907.50 is recoverable and \$54,326 is unrecoverable.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by a grant from ADHS and does not affect the County's general fund. Financial data for FY09 are for information only as this IGA was effective retroactive January 01, 2009. (C-86-06-075-2-04)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson



**49. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR BREASTFEEDING PEER COUNSELING PROGRAM**

Approve Amendment No. 1, Intergovernmental Agreement (IGA) No. HG961186 between Arizona Department of Health Services (ADHS) and Maricopa County by and through its Department of Public Health to provide increased grant funding for the Breastfeeding Peer Counseling Program. This amendment replaces Price Sheet of original contract with a revised Price Sheet for an increased amount of \$324,598, bringing the new total not to exceed \$1,056,468. The revised Price Sheet is effective July 1, 2009 through September 30, 2009. The term of this IGA is October 1, 2008 through September 30, 2013.

The Department of Public Health's indirect rate for FY 2008-09 is 18%. Indirect costs are estimated at \$49,515 and are fully recoverable.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by ADHS and do not affect the County's general fund. (C-86-09-040-3-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**50. AMENDMENT TO CONTRACT WITH MOUNTAIN PARK HEALTH CENTER, INC. FOR WELL WOMAN HEALTHCHECK SERVICES**

Approve Amendment No.13 to Contract No. C-86-07-004-1 between Mountain Park Health Center, Inc. and Maricopa County through its Department of Public Health (MCDPH) to provide Well Woman Healthcheck services. Amendment No. 13 extends the contract period from July 1, 2009 to June 30, 2010, for a not-to-exceed amount of \$60,000. This amendment also makes administrative changes to Terms and Conditions of the IGA. All other provisions of this agreement remain unchanged.

This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and ADHS and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS.

Additional funding is provided by the Phoenix Affiliate of the Susan G. Komen Breast Cancer Foundation and does not increase the county general fund. This funding augments Well Woman Healthcheck services and provides additional funds for diagnostic and treatment services.

Mountain Park Health Center, Inc. was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C-86-07-004-1-10)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**51. AMENDMENT TO THE IGA WITH THE ARIZONA BOARD OF REGENTS BY AND THROUGH THE UNIVERSITY OF ARIZONA FOR TRAINING DELIVERY**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) with The University of Arizona, Board of Regents and Maricopa County through its Department of Public Health (MCDPH) Office of Preparedness and Response (OPR) formally known as Public Health Emergency Management Program (PHEM) for training delivery. Amendment No. 1 amends two sections under "General Provisions". All other terms and conditions of the original IGA

remain unchanged and in full force and effect. (C-86-09-067-3-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**52. AMENDMENT TO CONTRACT WITH CLINICA ADELANTE, INC. FOR WELL WOMAN HEALTHCHECK SERVICES**

Approve Amendment No. 7 to Contract No. C-86-06-018-1 between Clinica Adelante, Inc. and Maricopa County through its Department of Public Health to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment extends the contract period from July 1, 2009 through June 30, 2010, for a not-to-exceed amount of \$20,000. This amendment also makes administrative changes to Terms and Conditions of the IGA. All other provisions of this agreement remain unchanged.

This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS.

Additional funding is provided by the Phoenix Affiliate of the Susan G. Komen Breast Cancer Foundation and does not increase the county general fund. This funding augments Well Woman Healthcheck services and provides additional funds for diagnostic and treatment services.

Clinica Adelante, Inc. was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C-86-06-018-1-09)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**53. AMENDMENT TO CONTRACT WITH CATHOLIC HEALTHCARE WEST D.B.A. ST. JOSEPH'S HOSPITAL AND MEDICAL CENTER FOR WELL WOMAN HEALTHCHECK SERVICES**

Approve Amendment No. 9 to Contract No. C-86-06-028-1 between Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center and Maricopa County through its Department of Public Health to provide Well Woman Healthcheck services to uninsured or underinsured women. Amendment No. 9 extends the contract period from July 1, 2009 through June 30, 2010 for a not-to-exceed amount of \$60,000. This amendment also makes administrative changes to the Terms and Conditions. All other provisions of this agreement remain unchanged.

This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS.

Additional funding is provided by the Phoenix Affiliate of the Susan G. Komen Breast Cancer Foundation and does not increase the county general fund. This funding augments Well Woman Healthcheck services and provides additional funds for diagnostic and treatment services.

Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C-86-06-028-1-09)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**54. AMENDMENT TO IGA WITH MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT DBA MARICOPA INTEGRATED HEALTH SYSTEM FOR WELL WOMAN HEALTHCHECK SERVICES**

Approve Amendment No. 4 to the Intergovernmental Agreement (IGA) between Maricopa County Special Health Care District, d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County through its Department of Public Health (MCDPH), to provide Well Woman Healthcheck services to uninsured or underinsured women. Amendment No. 4 extends the contract period from July 1, 2009 through June 30, 2010 for a not-to-exceed amount of \$155,000. All other terms and conditions of the original IGA shall remain in full force and effect.

This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS.

Additional funding is provided by the Phoenix Affiliate of the Susan G. Komen Breast Cancer Foundation and does not increase the county general fund. This funding augments Well Woman Healthcheck services and provides additional funds for diagnostic and treatment services. (C-86-08-044-2-06)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**55. CONTRACT WITH SOUTHWEST HUMAN DEVELOPMENT FOR COMPREHENSIVE COMMUNITY HEALTH NURSING SERVICES**

Approve Contract between Maricopa County through its Department of Public Health, Office of Family Health and Southwest Human Development (SWHD) for comprehensive community health nursing services to eligible women and their families through the South Phoenix Nurse Family Partnership Program (SPNFP). This contract provides funding to SWHD in an amount not-to-exceed \$473,419 for contract period effective upon Board execution through June 30, 2010.

This agreement is a subcontract to a grant from First Things First for the South Phoenix Nurse Family Partnership awarded to Maricopa County through its Department of Public Health in the amount of \$1,000,000, and therefore does not increase the county general fund. Payment to contractor is on a cost reimbursement basis.

Southwest Human Development was a successful respondent to a Notice of Intent issued by the Maricopa County Department of Public Health on March 3, 2009 (#PH NOI 09-026). (C-86-10-003-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**56. CHANGE ORDER TO PURCHASE ORDER FROM ADHS FOR OFFICE OF PREPAREDNESS AND RESPONSE**

Approve Procurement Change Order to Purchase Order (E9H27569) from Arizona Department of Health Services (ADHS) to Maricopa County through its Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) HG754199 for the Office of Preparedness and Response (OPR) formerly known as Public Health Emergency Management Program (PHEM). The purchase order replaces the original price sheet with a new price sheet and also allows to encumber in full a not-to-exceed \$52,299 for the budget period starting September 1, 2008 through August 31, 2009, bringing the new total not-to-exceed \$2,676,670. The term of this IGA is April 1, 2007 through August 30, 2011.

The Department of Public Health indirect rate for FY 2008-09 is 18%. Indirect Cost are estimated at \$7,978, all of which is fully recoverable.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by a grant from ADHS and does not affect the County's general fund. (C-86-07-050-2-07)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**57. AMENDMENT TO CONTRACT WITH BANNER HEALTH SYSTEMS D/B/A BANNER GOOD SAMARITAN MEDICAL CENTER FOR PUBLIC INFORMATION LINE**

Approve Amendment No. 1 to Contract between Banner Health System d/b/a Banner Good Samaritan Medical Center (BGSMC) and Maricopa County through the Department of Public Health, Office of Preparedness and Response (OPR) formerly known as Public Health Emergency Management Program (PHEM) to provide a Public Information Line (PIL). BGSMC will provide a PIL hotline that will operate 24-hours a day, seven days a week. The contract term is from July 1, 2009 through June 30, 2010 for the budget amount not-to-exceed \$134,000. Maricopa County has the right to extend this contract for additional periods, not-to-exceed a total term of four years. (C-86-09-011-3-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**58. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR WELL WOMAN HEALTHCHECK PROGRAM**

Approve Amendment No. 3 to the Intergovernmental Agreement (IGA) (HG761266) between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health, to provide Well Woman Healthcheck Program services to uninsured or underinsured women for breast and cervical cancer screening and diagnostic services. Amendment No. 3 extends the contract period from July 1, 2009 through June 30, 2010 as well as replaces the current price sheet. This amendment limits funding to an amount not to exceed \$482,388. Recovery of indirect costs are also decreased due to legislative budget reductions. In addition, this amendment makes administrative changes to the Scope of Work of Amendment No. 1. All other terms and conditions of the original IGA shall remain in full force and effect.

The Department of Public Health's indirect rate for FY 2009-10 is 19.5%. Indirect cost recovery per the Amendment No. 3 Price Sheet, is capped at \$16,111. Further, the IGA limits indirect costs recovery to only Personnel Services and Employee Related Expenses. Full indirect costs are estimated at \$31,186, of which \$16,111 is recoverable and \$15,075 is

unrecoverable. Of the total funding amount, \$272,943 are subrecipient costs and not subject to indirect costs recovery.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by a grant from ADHS and does not affect the County's general fund. Reimbursement to subcontractors is on a per enrollee basis at rate established by ADHS. (C-86-08-001-3-07)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**59. AMERICAN RECOVERY AND REINVESTMENT ACT GRANT FUNDING FOR THE HEALTHCARE FOR THE HOMELESS CAPITAL IMPROVEMENT PROGRAM**

Approve and accept grant funding through the American Recovery and Reinvestment Act of 2009 in the amount of \$456,185 from Department of Health and Human Services Health Resources and Services Administration to Maricopa County through its Department of Public Health for ARRA – Capital Improvement Program. The term of the grant is from June 29, 2009 through June 28, 2011.

The Department of Public Health indirect rate for FY 2009-10 is 19.5%. The grant will incur Capital/Subrecipient costs totaling \$456,185 which are not subject to indirect cost recovery. The recoverable indirect cost of administering the grant is \$0.00, and/or the non-recoverable indirect cost is \$0.00. (C-86-10-004-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**60. IGA WITH CITY OF PHOENIX FOR AMERICAN RECOVERY AND REINVESTMENT ACT GRANT FUNDING FOR THE LEAD BASED PAINT HAZARD REDUCTION PROGRAM**

Approve an Intergovernmental Agreement (IGA) between the City of Phoenix and Maricopa County through its Department of Public Health providing funding through the American Recovery and Reinvestment Act of 2009 in the amount of \$312,347 for education, blood testing of children and case management for the Lead Based Paint Hazard Reduction Program. The term of the IGA is from April 15, 2009 through April 14, 2012.

The Maricopa County Department of Public Health indirect rate for FY 2008-09 is 18%. The grant allows for full indirect; therefore, indirect costs are estimated at \$47,646.

There is a match requirement which will be met through in-kind contributions totaling \$48,026 from Maricopa County Department of Public Health staff members. Funding for this agreement is provided by the City of Phoenix, and does not affect the County general fund. (C-86-10-006-3-00)

Supervisor Brock thanked the City of Phoenix and the County's Public Health Department for working together to protect children from the problem of lead paint.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**61. GRANT AWARD FOR FIRST THINGS FIRST - CHILD CARE HEALTH CONSULTANTS**

Approve the grant award from Arizona Early Childhood Development and Health Board, First Things First (FTF-STATE-09-0199-01) to Maricopa County through its Department of

Public Health for Child Care Health Consultants who will conduct visits to child care center sites throughout Maricopa County. The grant award provides funding in the amount of \$2,835,500 for the budget term beginning July 1, 2009 through June 30, 2010.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. The Department of Public Health's indirect rate for FY 2009-10 is 19.5%; therefore \$257,773 is allowable and \$244,884 is unallowable.

Funding for this grant will be provided by First Things First and will not affect the County general fund. (C-86-10-009-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**62. CONTRACT WITH CHILD AND FAMILY RESOURCES, INC. FOR CHOICES FOR FAMILIES**

Approve the Contract Agreement between Child and Family Resources, Inc and Maricopa County, through its Department of Public Health (MCDPH) for the Choices for Families funded through Arizona Early Childhood Development and Health Board, First Things First North Regional Partnership Council. This contract Agreement provides funding up to \$125,000 to MCDPH for the contract term starting May 1, 2009 through June 30, 2010.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. MCDPH indirect cost rate for FY 2008-09 is 18%. Therefore the recoverable indirect cost of administering the grant is \$11,364, and non-recoverable indirect cost is \$9,091. First Things First only allows a cap of 10% for indirect costs on all its grants.

Funding for this contract is provided by Child and Family Resources, Inc. and does not increase the county general fund. (C-86-10-010-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

**Animal Care & Control Services**

**63. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL**

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$106,055 and the Foster Program in the amount of \$3,888.55. The total donation received was in the amount of \$109,943.55 which supports one position in the Foster Program.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-106-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**64. DONATION FROM CHING-I TSENG**

Accept the monetary donation from Ching-I Tseng, located in Chandler, AZ in the amount of \$350 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-110-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**65. DONATION FROM SCF ARIZONA**

Accept the monetary donation from SCF Arizona of Phoenix, AZ in the amount of \$550 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-111-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**66. DONATION OF SUPPLIES FROM FRIENDS OF ANIMAL CARE AND CONTROL**

Accept the restricted in-kind donation of pet supplies from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to be used for the Foster Program, donor valued at \$6,086.87. There are no costs associated with this donation to the Department.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-117-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**67. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL**

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$75,000. The total donation received was in the amount of \$75,000 for June.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-124-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**68. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL**

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$25,860 on the balance of May vouchers and the Foster Program in the amount of \$3,888.55. The total donation received was in the amount of \$29,748.55 which supports one position in the Foster Program. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-125-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**69. DONATION FROM PETCO FOUNDATION**

Accept the monetary donation from PETCO Foundation of San Diego, CA in the amount of \$1,736 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-135-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**70. IGA WITH SAN LUCY DISTRICT OF THE TOHONO O'ODHAM NATION FOR ANIMAL SHELTER SERVICES**

Approve an Intergovernmental Agreement (IGA) between Maricopa County Animal Care & Control and the San Lucy District of the Tohono O'odham Nation for Animal Control Shelter Services. This IGA is effective from June 1, 2009 through June 30, 2012. The San Lucy District of the Tohono O'odham Nation agrees to pay full cost recovery for shelter services for fourth quarter FY 2008-09 estimated to be \$374 and \$4,491 for FY 2009-10 based on fees approved by the Board of Supervisors on November 2, 2005 (C-79-06-024-7-00) and historical levels of service for this jurisdiction. (C-79-09-133-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**71. IGA WITH FORT MCDOWELL YAVAPAI NATION FOR ANIMAL SHELTER SERVICES**

Approve an Intergovernmental Agreement (IGA), between Maricopa County Animal Care & Control and the Fort McDowell Yavapai Nation for Animal Control Shelter Services. This IGA is effective from April 1, 2009 through June 30, 2012. The Fort McDowell Yavapai Nation agrees to pay full cost recovery for shelter services for fourth quarter Fiscal Year 2008-2009 estimated to be \$11,126.75 and \$44,507 for Fiscal Year 2009-2010 based on fees approved by the Board of Supervisors on November 2, 2005 (C-79-06-024-7-00) and historical levels of service for this jurisdiction. (C-79-09-136-3-00)



Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**72. AGREEMENT WITH THE READY MADE PET FOUNDATION FOR NEW HOPE PROGRAM**

Approve an Agreement between Sharon Garnes, d.b.a. The Ready Made Pet Foundation, 2109 W. Bowker, Phoenix, AZ 85041, and Maricopa County to allow The Ready Made Pet Foundation under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 15 new hope rescues over the term of the agreement, for a total of \$600. The term of this Agreement is from July 22, 2009 through June 30, 2010. (C-79-09-107-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**73. AGREEMENT WITH THE CANINE CONNECTION FOR NEW HOPE PROGRAM**

Approve an Agreement between Stephanie Strackbein, d.b.a. The Canine Connection, 3232 E. Nighthawk Way, Phoenix, AZ 85048, and Maricopa County to allow The Canine Connection under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 45 new hope rescues over the term of the agreement, for a total of \$1,800. The term of this Agreement is from July 22, 2009 through June 30, 2012. (C-79-09-108-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**74. AGREEMENT WITH AUSSIE AND FRIENDS RESCUE FOR NEW HOPE PROGRAM**

Approve an Agreement between Aussie and Friends Rescue, a 501 (C) 3 corporation, HC6 Box 1317, Payson, AZ 85541, and Maricopa County to allow Aussie and Friends Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 15 new hope rescues over the term of the agreement, for a total of \$600. The term of this Agreement is from July 22, 2009 through June 30, 2010. (C-79-09-109-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**75. AGREEMENT WITH GRAND CANYON STATE BERNESE MOUNTAIN DOG CLUB FOR NEW HOPE PROGRAM**

Approve an Agreement between Grand Canyon State Bernese Mountain Dog Club, a 501 (C) 3 corporation, 8033 S. Mill Ave., Tempe, AZ 85284, and Maricopa County to allow Grand

Canyon State Bernese Mountain Dog Club under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates three new hope rescues over the term of the agreement, for a total of \$120. The term of this Agreement is from July 22, 2009 through June 30, 2012. (C-79-09-126-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**76. KENNEL PERMIT FOR MY SONG PEKINGNESE PARK**

Approve kennel permit #295 pursuant to A.R.S. §11-1009 for Yolanda Martin, d.b.a. My Song Pekingnese Park, located at 3221 W. Alice Avenue, Phoenix, AZ 85051 in District 3 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-112-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**77. KENNEL PERMIT FOR BENWAY KENNELS**

Approve kennel permit #411 pursuant to A.R.S. §11-1009 for Phillip Benway, d.b.a. Benway Kennels, 7327 N. 181st Avenue, Waddell, AZ 85355 in District 4 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-113-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**78. KENNEL PERMIT FOR C. WILSON KENNELS**

Approve kennel permit #401 pursuant to A.R.S. §11-1009 for Cheryl Wilson, d.b.a. C. Wilson Kennels, 28022 N. 30th Lane, Phoenix AZ 85083 in District 4 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-114-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**79. KENNEL PERMIT FOR EVANZ KENNELS**

Approve kennel permit #352 pursuant to A.R.S. §11-1009 for Marilyn Pauley, d.b.a. EvanZ Kennels, 16853 N. 39th Drive, Phoenix, AZ 85053 in District 4 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-115-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**80. KENNEL PERMIT FOR O'CONNELL KENNELS**

Approve kennel permit #396 pursuant to A.R.S. §11-1009 for Judy O'Connell, d.b.a. O'Connell Kennels, 11005 E. Vallejos Street, Chandler, AZ 85248 in District 1 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-116-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**81. KENNEL PERMIT FOR OH SO NOT SO KENNELS**

Approve kennel permit #441 pursuant to A.R.S. §11-1009 for Gary Mitchell and Christine Koudelka, d.b.a. Oh So Not So Kennels, 3202 W. Sierra Vista Drive, Phoenix, AZ 85017 in District 5 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-118-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**82. KENNEL PERMIT FOR B-Z-B'S CHIHUAHUAS**

Approve kennel permit #003 pursuant to A.R.S. §11-1009 for Shirley Banderet, d.b.a. B-Z-B's Chihuahuas, 4424 W. Tierra Buena Lane, Glendale, AZ 85306 in District 4 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-119-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**83. KENNEL PERMIT FOR THE DOG HOUSE**

Approve kennel permit #002 pursuant to A.R.S. §11-1009 for Terry Jamtgaard, d.b.a. The Dog House, 2103 W. Belmont Avenue, Phoenix, AZ 85021 in District 3 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-120-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**84. KENNEL PERMIT FOR BROWN KENNEL**

Approve kennel permit #006 pursuant to A.R.S. §11-1009 for Sharon Brown, d.b.a. Brown Kennel, 6328 E Halifax, Mesa, AZ 85205 in District 2 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-121-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**85. KENNEL PERMIT FOR HARDY KENNEL**

Approve kennel permit #001 pursuant to A.R.S. §11-1009 for Greg Hardy, d.b.a. Hardy Kennel, 35042 W Buchanan, Tonopah, AZ 85354 in District 5 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-122-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**86. KENNEL PERMIT FOR S & J KENNELS**

Approve kennel permit #082 pursuant to A.R.S. §11-1009 for Susan DiGregario, d.b.a. S & J Kennels, 1117 N. 11th Street, Phoenix, AZ 85006 in District 5 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-123-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**87. KENNEL PERMIT FOR SPRINGBROOK KENNELS**

Approve kennel permit #004 pursuant to A.R.S. §11-1009 for Lue Jean Brooks, d.b.a. Springbrook Kennels, 36614 N. 23 Street, Phoenix, AZ 85086 in District 3 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-127-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**88. KENNEL PERMIT FOR HARQUAHALA KENNELS**

Approve kennel permit #018 pursuant to A.R.S. §11-1009 for Arthur McKay, d.b.a. Harquahala Kennels, 10602 S. 540 Avenue, Tonopah, AZ 85354 in District 4 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-128-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**89. KENNEL PERMIT FOR DESPERADO HOUNDS KENNEL**

Approve kennel permit #013 pursuant to A.R.S. §11-1009 for Jackie Lawrence, d.b.a. Desperado Hounds, 2070 E. Melrose Street, Gilbert, AZ 85297 in District 2 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-129-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**90. KENNEL PERMIT FOR WILLIAMS KENNEL**

Approve kennel permit #007 pursuant to A.R.S. §11-1009 for Teri Williams, d.b.a. Williams Kennel, 1687 S. Villas Lane, Chandler, AZ 85248 in District 1 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-130-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**91. KENNEL PERMIT FOR KEEPSAKE KENNELS**

Approve kennel permit #014 pursuant to A.R.S. §11-1009 for Lynn Jech, d.b.a. Keepsake Kennels, 11446 W. Hidalgo Avenue, Tolleson, AZ 85353 in District 5 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-131-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**92. KENNEL PERMIT FOR EAST VALLEY RESCUE KENNEL**

Approve kennel permit #009 pursuant to A.R.S. §11-1009 for Linda Shively, d.b.a. East Valley Rescue, 8125 E. 5th Avenue, Mesa, AZ 85208 in District 2 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-132-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**93. KENNEL PERMIT FOR CLARK KENNELS**

Approve kennel permit #017 pursuant to A.R.S. §11-1009 for Patricia Clark, d.b.a. Clark Kennels 6422 S. 35th Avenue, Phoenix, AZ 85041 in District 5 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-09-134-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**94. KENNEL PERMIT FOR YERBRIER KENNELS**

Approve kennel permit #005 pursuant to A.R.S. §11-1009 for Betty Yerington, d.b.a. Yerbrier Kennels, 5447 S. El Mirage Road, Tolleson AZ 85353 in District 5 for the term of July 22, 2009 through July 21, 2010. The cost of a kennel permit is \$328. (C-79-10-001-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Community Development**

**95. MANAGEMENT AND IMPLEMENTATION AGREEMENTS WITH MUNICIPALITIES FOR FY 2009-2010 COMMUNITY DEVELOPMENT BLOCK GRANT ACTIVITIES**

Approve six Management and Implementation Agreements (MIA) between five sub-grantees and Maricopa County, Human Services, Community Development Division for FY 2009-2010 for a Community Development Block Grant (CDBG) Activity for the following listed cities/towns and infrastructure projects. These MIA's are funded by a grant from the U. S. Department of Housing & Urban Development (C-17-09-051-G-00). Each MIA begins on July 1, 2009 and expires upon completion of all grant requirements.

1. Town of Buckeye (Alarcon Boulevard Sidewalks): \$300,000
2. City of Goodyear (Waterline Improvements): \$400,000
3. Town of Guadalupe (Gastelo Sidewalk Improvements): \$258,209
4. Town of Wickenburg (Sylvan Waterline Improvements): \$394,676
5. Town of Wickenburg (El Recreo Waterline Improvements): \$292,289
6. Town of Youngtown (Alley Paving): \$400,000 (C-22-09-165-3-ZZ)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**96. AGREEMENTS WITH THE MUNICIPALITIES OF EL MIRAGE, GOODYEAR, & GUADALUPE, AND THE COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDO) - COMMUNITY SERVICES OF ARIZONA (CSA) AND NEWTOWN COMMUNITY DEVELOPMENT CORPORATION (CDC) FOR HOME INVESTMENT PARTNERSHIP GRANT ACTIVITIES**

Approve the Agreements between five sub-grantees and Maricopa County, Human Services Department, Community Development Division for the FY 2009-2010 HOME Investment Partnership Grant Activity for the following cities/towns and projects. These Agreements are funded by a grant from U. S. Department of Housing & Urban Development, (C-17-09-051-G-00). The start date for each Agreement is July 1, 2009 and expires upon completion of all grant requirements.

1. City of El Mirage (Homebuyer Assistance/Rehab): \$480,603
2. City of Goodyear (Housing Rehabilitation): \$127,749
3. Town of Guadalupe ((Housing Program): \$387,749
4. Community Services of Arizona (CSA) \$250,000
5. Newtown Community Development Corporation (CDC): \$392,568 (C-22-09-171-3-ZZ)

Luz Sarmina, President and CEO of Valle del Sol, a service organization in the community for 39 years. She said they attended the Community Development Advisory Committee meeting on June 10 and the experience was much less than a positive one. They had submitted the only application for a \$1.6 million program to supply senior housing in Goodyear. She explained that she had to respond to racially and culturally insensitive comments regarding the elderly, Latinos and African Americans. She said some of the members expressed a desire that her group should not come to any other meetings.

Kurt Sheppard, Valle del Sol, said the only bright spot had come from County staff and staff from Goodyear who have continued to work with their organization to put together a project that can meet the needs of all stakeholders.

Ms. Sarmina introduced the letter she sent to the Board on June 19, 2009, that outlined the actions at the committee meeting, into the record. She urged members to watch that those they appoint to boards reflect the same standards and similar beliefs of those making the appointments.

Supervisor Wilcox said that she had asked Renee Ayres Benevidez to look into the issue.

Renee Ayres-Benavidez reported the status of her investigation into the allegations and said she and Human Resources are putting together a diversity training for committee members appointed to serve on County committees. She will respond to the letter from Valle del Sol and will copy the pertinent committee members so they will be aware of the complaint received.

Supervisor Wilcox commented on the value of periodic diversity training and asked David Smith to see that it becomes an automatic procedure for committee members appointed by the Board.

Supervisor Kunasek asked for a copy of the meeting's transcript if one was available. Chairman Wilson asked that each Board member receive a copy of the tape. Supervisor Wilcox offered her apology for what occurred.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**97. REVISION TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE BYLAWS**

Approve the revision to the Community Development Advisory Committee Bylaws to document when the general public may address the Committee on matters of interest. The Community Development Advisory Committee approved the revision to its Bylaws at the May 13, 2009 and June 10, 2009, Regular Committee Meetings. (C-22-10-007-6-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Human Services**

**98. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HOUSING FOR EMERGENCY FINANCIAL ASSISTANCE**

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) between State of Arizona, Department of Housing (552-08) and Maricopa County through its Human Services Department in the not-to-exceed amount of \$458,584. The purpose of this amendment is to increase the IGA amount from \$398,584 to \$458,584 which is a total increase of \$60,000. This amendment is effective from July 1, 2009 to June 30, 2010. All other terms and conditions of the IGA remain in full force and effect.

The Department of Human Services indirect rate for FY 2009-10 is estimated at 15.2%. The IGA allows for indirect costs at a rate of 15.2%. Of the \$60,000 increase, direct pay costs of \$60,000 and are not subject to indirect charges. Therefore, indirect costs are estimated at \$0.

Funds for this IGA are provided by a grant from State of Arizona Department of Housing and do not impact the County's General fund. (C-22-09-021-3-03)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**99. IGA WITH STATE OF ARIZONA DEPARTMENT OF COMMERCE ENERGY OFFICE FOR THE OPERATION OF THE AMERICAN RECOVERY AND REINVESTMENT ACT WEATHERIZATION LOW-INCOME ASSISTANCE**

Approve an Intergovernmental Agreement (IGA) between State of Arizona, Department of Commerce, Energy Office (C037-09-03) and Maricopa County administered by its Human Services Department, providing funding through the American Recovery and Reinvestment Act (ARRA) of 2009 in the amount of \$11,911,987.00 for Weatherization Low-Income Assistance Program.

Funding for this grant is through the American Recovery and Reinvestment Act of 2009 and has been reviewed and authorized by the County Manager's Recovery Committee.

The DOE ARRA was reviewed and approved/accepted by Human Services Department's Stimulus Committee on June 18, 2009.

The term of the grant becomes effective upon signature by both parties and continues through March 31, 2010.

The total budget for this Contract shall not exceed \$11,911,987.00 and payout is based on the following ARRA incremental disbursement level funding schedule:

- 1.) Ten percent (10%) of the Contractor's total allocation award at the time of contract full execution \$1,191,199.00. Funding for this level can only be utilized for ramp-up activities relating to every authorized activity EXCEPT unit home production. No units may be weatherized at this funding level.
- 2.) Forty percent (40%) of the Contractor's total allocation award upon approval of the Arizona State ARRA Weatherization Plan by DOE \$4,764,795.00. Unit weatherization production may begin with this funding level.
- 3.) Twenty percent (20%) of the Contractor's total allocation when Contractor demonstrates that they have obligated funds appropriately and jobs are being created based on Commerce and DOE review of the progress reports and monitoring \$2,382,397.00.
- 4.) Thirty percent (30%) of the Contractor's total allocation when the Contractor demonstrates continued progress based on Commerce and DOE review of the progress reports and monitoring \$3,573,596.00.

The amount of \$5,955,944.00 is to be expended in FY 2010; and \$2,382,397.00 is to be expended in FY 2011 (plus any carryover); and \$3,573,596.00 is to be expended in FY 2012 (plus any carryover), not to exceed the total IGA of \$11,911,987.00. The attached Letter of Clarification indicates that the IGA will be renewed past March 31, 2010. See attached spreadsheet (DOE ISBs.xls) for financial impact detail for FY 2010, 2011 and 2012.

Funding for this IGA is provided from Arizona Department of Commerce, Energy Office, as recipient of the ARRA Federal Recovery funds and will not effect the County general fund.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. (C-22-09-156-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**100. DONATION FROM MATHEMATICA POLICY RESEARCH FOR PARTICIPATION IN EARLY HEAD START FAMILY AND CHILD EXPERIENCES STUDY**

Accept a \$500 monetary donation (honorarium) from Mathematica Policy Research for participation in the Early Head Start Family and Child Experiences Study. This donation will be used to purchase additional classroom materials for Early Head Start classrooms in the Maricopa County Head Start Zero-Five Program. This is the first of four potential annual donations for participating in the study. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-22-09-158-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson



**101. AGREEMENT WITH ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS FOR EARLY HEAD START SERVICES IN THE BLACK CANYON SCHOOL**

Approve Amendment No. 1 to the Agreement between Arizona Department of Juvenile Corrections (ADJC) on behalf of the Black Canyon School (BCS) (#J09014001) and Maricopa County through the its Human Services Department. The purpose of this amendment is to continue providing Early Head Start services to low-income pregnant female youths and parenting teens incarcerated in the BCS. As specified in the "Terms and Conditions, Section 11. Contract Extension" of Agreement No. C-22-09-128-3-00, this Agreement may be extended by a written contract amendment for five twelve-month periods. This is the first of up to five amendments and extends the contract for the period of twelve-months effective July 1, 2009 through June 30, 2010. This is a non-financial contract. All other terms and conditions of the Agreement remain in full force and effect. (C-22-09-128-3-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**102. AMENDMENT TO CONTRACT WITH SUBSTITUTE TEACHERS UNLIMITED FOR HEAD START SUBSTITUTE TEACHER AND TEACHERS'S AIDE SERVICES**

Approve Amendment No. 2 to contract C-22-08-096-1-00 between Substitute Teachers Unlimited and the Maricopa County Human Services Department for the provision of Substitute Teacher and Teacher's Assistant services in support of the Early Head Start and Head Start Programs in Maricopa County. This contract is required so at least two staff are in a classroom at all times as required by the Head Start Performance Standards. The total contract value will not exceed \$50,000. The contract term is from July 1, 2009 through June 30, 2010. This contract does not include any County general funds. (C-22-08-096-1-02)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**103. IGA WITH STATE OF ARIZONA DEPARTMENT OF COMMERCE ENERGY OFFICE TO PROVIDE WEATHERIZATION LOW-INCOME ASSISTANCE FUNDED BY THE SOUTHWEST GAS CORPORATION**

Approve an Intergovernmental Agreement (IGA) between State of Arizona Department of Commerce Energy Office (C053-09-03) and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$106,627. This IGA is funded by a grant from State of Arizona Department of Commerce Energy Office. The purpose of this IGA is to provide Weatherization Low-Income Assistance. This IGA is effective from July 1, 2009 until June 30, 2010.

Funding for this IGA is provided by a grant from the State of Arizona Department of Commerce Energy Office (C053-09-03). Funding is provided to the Department of Commerce from the Southwest Gas Corporation and will not impact the County general fund budget.

The Department of Human Services current negotiated DHHS indirect rate for FY08-09 is 15.2%, while FY 2009-10 is 18.0% (pending negotiation). The total grant funds of \$106,627 are directed toward sub-recipient pass-through and are not subject to indirect charges. Therefore, the estimated indirect cost is \$0. (C-22-09-172-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**104. CONTRACT WITH ARIZONA COMMUNITY ACTION ASSOCIATION TO PROVIDE UTILITY BILL ASSISTANCE TO LOW-INCOME HOUSEHOLDS**

Approve an Agreement between Arizona Community Action Association (ACAA) and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$559,275. The purpose of this Agreement is to administer Utility Assistance Programs to low-income residences of Maricopa County and provide weatherization work, utility repair and replacement and bill assistance. This Independent Contractor Agreement is effective from July 1, 2009 through June 30, 2010.

As a federally designated Community Action Agency, Maricopa County receives a myriad of grant funds for the provision of anti-poverty and other community-based social service programs. These funds are administered by the County's Human Services Department, which is responsible for directly operating the programs or contracting for the provision of services by local government or community based agencies and organizations.

ACAA desires to subcontract with Maricopa County through its Human Services Department to provide utility bill assistance and utility repair and replacement services through multiple sources of funding including the Home Energy Assistance Fund, General Bill Assistance Program, Southwest Gas Bill Assistance Program, and Utility Repair, Replacement, and Deposit.

The total grant of \$559,275.00 will incur sub-recipient costs of \$280,000.00 and direct pay cost of \$236,808.00 totaling \$516,808.00 which are not subject to indirect cost recovery. The Human Services Department current negotiated DHHS indirect rate for FY 2008-09 is 15.2% while the FY 2009-10 indirect rate is 18% (pending negotiation). Total allowable indirect expenses of \$42,467 are fully recoverable. (C-22-10-001-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**105. APPOINTMENT AND REAPPOINTMENT TO THE MARICOPA WORKFORCE CONNECTIONS BOARD AND ACCEPT RESIGNATION OF BOARD MEMBERS**

Approve the appointment and reappointment of the following 19 individuals to the Maricopa Workforce Connections Board, which serves as the Workforce Investment Board for the balance of Maricopa County, outside the City of Phoenix, as required under the Workforce Investment Act (WIA) of 1998. The MWC full board nominated and accepted the following individuals to serve as MWC representatives at the meeting that was held on June 25, 2009. The term of the appointment(s) will be effective July 1, 2009 through June 30, 2011.

Public Sector Representatives:

Reappoint:

- Karen F. Poole, Associate Director, Maricopa County Community College District, Center for Workforce Development, representing One-Stop partners
- Tony Maldonado, Director of Career and Technical Education, Paradise Valley Unified School District, representing Education
- Karen Thorne, Native Workforce Services Director, Phoenix Indian Center, Inc., representing One-Stop partners
- Marie Sullivan, President & CEO, Arizona Women's Education & Employment, Inc., representing Community based organizations
- Nancy Welch, Associate Director, Morrison Institute for Public Policy, representing Education
- Adda Alexander, CEO, Arizona Association of Community Health Centers, representing

Community based organizations

Appoint:

- Rodney Pack, Program Manager, Arizona Pipe Trades Apprenticeship, representing mandated partners
- Velicia McMillan, Human Resources, Assistant General Manager, City of Scottsdale, representing Community based organizations
- Karissa Bonkrude, ageWorks Coordinator, Area Agency on Aging, representing One-stop partners
- Lisa Marra, Vice President Workforce Policy, Associated General Contractors-Arizona Chapter, representing mandated partners
- Barbara Gallegos, Program Center Coordinator Phoenix Office of Public Housing, U.S. Department of Housing & Urban Development, representing One-stop partners

Private Sector Representatives:

Reappoint:

- Neil Alexander, Attorney, Littler Mendelson
- Tina Huff, Executive Director of Human Resources, Pro's Ranch Markets
- Chevera Trillo, Project Director, Maximus - Workforce Service Division

Appoint:

- Judy Blanchard, Strategic HR Sourcing Program Manager, Arizona Public Service
- Rick McCartney, President & CEO Media Publishers Group
- Ben Serio, Human Resources Manager, Amazon.com
- Jeffery Freeman, Manager Business partnerships, Honeywell
- Dillion Holmes, President, Cambio Energy, Inc

Acknowledge and accept the resignation of 8 MWC Board Members effective June 25, 2009:

Public Sector

- Rebecca Flanagan, HUD Phoenix Field Office Director, U.S. Department of Housing and Urban Development (HUD)
- Joel Millman, Acting Independent Living Support Manager, Arizona Department of Economic Security, Division of Aging and adult Services
- Mike Wall, Director of Training, Phoenix Pipe Fitting Trades Apprenticeship

Private Sector

- John Garza, Manager, Workforce Services, Pinnacle West Capital Corporation
- Jim Ponte', Owner, Harris Printers
- Pam Ross, Director of Business Partnerships, Honeywell
- Brady Young, Human Resources Manager, The Translational Genomics Research Institute (TGEN)
- Dori Beattie, Senior Sales Mgr, Growth and Acquisitions, The Arizona Republic/Gannett Media

Maricopa County, exclusive of the City of Phoenix, is a designated Workforce Investment Area under the federal Workforce Investment Act (WIA) of 1998. The goal of Maricopa County's Workforce Investment Board, Maricopa Workforce Connections, is to provide a comprehensive workforce development system under which Maricopa County residents can access services. Maricopa County Human Services Department Workforce Development Division Workforce Connections administers the Workforce Connections activities. (C-22-10-002-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**106. IGA WITH STATE OF ARIZONA DEPARTMENT OF COMMERCE ENERGY OFFICE FOR WEATHERIZATION LOW-INCOME ASSISTANCE**

Approve an Intergovernmental Agreement (IGA) between State of Arizona Department of Commerce Energy Office (C052-09-03) and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$394,876. This IGA is funded by a grant from State of Arizona Department of Commerce Energy Office. The purpose of this IGA is to provide Weatherization Assistance for low-income households under the U.S. Department of Energy, Low-Income Weatherization Assistance Program, hereinafter referred to as Low Income Home Energy Assistance Program (LIHEAP). This IGA is effective from July 1, 2009 through June 30, 2010.

Funding for this IGA is provided by a grant from the State of Arizona Department of Commerce Energy Office (C052-09-03). Funding is passed through to Department of Commerce from the Arizona Department of Economic Security and will not impact the County general fund budget.

The Human Services Department current negotiated DHHS indirect rate for FY 2008-09 is 15.2% while the FY 2009-10 indirect rate is 18% (pending negotiation). The grant funds of \$374,876 are directed toward sub-recipient pass-through and are not subject to indirect charges. Therefore, the estimated recoverable indirect cost is \$2,638.89 and the under-recoverable costs are \$486.11. (C-22-10-003-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**107. RESOLUTION FOR A WORK EXPERIENCE ACKNOWLEDGEMENT WITH MAXIMUS**

Adopt a Resolution to approve a Work Experience Acknowledgement with Maximus to have JOBS Program participants work in the Maricopa Workforce Connections One Stop Career Centers. The Jobs Program provides eligible individuals the opportunity to become economically independent through employment by providing a variety of supportive and specialized services to recipients of Temporary Assistance for Needy Families (TANF).

Maximus participants will be provided with opportunities to develop skills that could increase their employment prospects and reduce their welfare dependency. Participants will gain work experience while under the supervision of Maricopa County employees.

This resolution shall become effective upon approval of the Board of Supervisors, will remain in force for a two-year period, and will expire June 30, 2011. This Agreement is non-financial. Maximus participants shall be covered under Maximus' general liability insurance. (C-22-10-006-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**108. IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR THE MARICOPA WORKFORCE CONNECTIONS ONE STOP CAREER CENTERS**

Approve Intergovernmental Agreement (IGA) between Arizona Department of Economic Security/Employment Administration (DES/EA) and Maricopa County administered by its Human Services Department (MCHSD) Workforce Development Division – Maricopa Workforce Connections (MWC). This IGA allows for DES/EA to co-locate in the MWC One Stop Career Centers located at 1840 N. 95th Avenue, Phoenix, AZ, and 735 N. Gilbert

Road, Gilbert, AZ. This IGA allows DES/EA staff to maintain direct services space within the One Stop Career Centers and provides for funding arrangements whereas DES/EA will pay on a monthly basis for co-location costs associated with the operation of the One Stop Career Centers. This IGA is a co-locator - resource sharing agreement.

DES/EA will pay \$21,009.99 monthly for West Valley costs and \$13,131.98 monthly for East Valley for a combined monthly total of \$34,141.97. The term of this IGA shall commence July 1, 2009 and terminate June 30, 2012.

Indirect funds do not apply to this agreement since Indirect funds are collected from the Main DES contract (C-22-09-008-3). All funds collected under this agreement will be applied to the costs associated with the operation of the One Stop Career Centers. There are no County General funds associated with this IGA. The Facility Review Committee endorsed this agreement on June 25, 2009. (C-22-10-009-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**109. LICENSE AGREEMENT WITH PORTABLE, PRACTICAL, EDUCATIONAL PREPARATION, INC. FOR CO-LOCATION IN THE MARICOPA WORKFORCE CONNECTIONS ONE STOP CAREER CENTER**

Approve a License Agreement between Portable, Practical, Educational Preparation, Inc. (PPEP) and Maricopa County administered by its Human Services Department, Maricopa Workforce Connections (MWC). This Agreement allows for PPEP to co-locate in the MWC West Valley One Stop Career Center. The West Valley One Stop Career Center is located at 1840 N. 95th Ave., Phoenix, AZ. This Agreement allows PPEP staff to maintain direct services space within the One Stop Career Center and provides for funding arrangements whereas PPEP will pay on a monthly basis for co-location costs associated with the operation of the One Stop Career Centers. This Agreement is a resource sharing agreement.

PPEP will pay \$653.42 monthly for West Valley costs associated with the operation of the One Stop Career Centers. This agreement shall be effective upon approval of the Maricopa County Board of Supervisors and signature by both Parties and will expire on June 30, 2011. Indirect funds do not apply to this agreement since all funds collected under this agreement will be applied to the costs associated with the operation of the One Stop Career Center. There are no County General funds associated with this Agreement. The Facility Review Committee endorsed this agreement on May 28, 2009. (C-22-10-010-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**110. AMERICAN RECOVERY AND REINVESTMENT ACT WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION PROGRAM YEAR 2009 FOR MARICOPA WORKFORCE CONNECTIONS ACTIVITIES**

Approve the American Recovery and Reinvestment Act (ARRA) Workforce Investment Act (WIA) Local Plan Modification Program Year 2009 for Maricopa Workforce Connections (MWC). In accordance with U.S. Department of Labor requirements for State Planning, DES has provided WIA GUIDANCE LETTER #08-08 with guidance for the American Recovery and Reinvestment Act of 2009 (ARRA) Local Workforce Investment Area (LWIA) Modified Plan Program Year (PY) 2009. MWC is submitting the Modified Plan for approval in Arizona Department of Economic Security's (DES) format.

Maricopa County entered into an Intergovernmental Agreement (IGA) (C-22-09-141-3) with DES (DE091201001) for ARRA funds under the Workforce Investment Act (WIA) Title 1B Federal Grant program to promote the nation's economic recovery. The Maricopa County Board of Supervisors approved the IGA on May 6, 2009.

The MWC ARRA WIA Local Plan Modification outlines how MWC will implement expanded services for Youth, Adult and Dislocated Workers. Specifically the proposed projects:

**YOUTH PROGRAM**

MWC anticipates placing 600 youth ages 14-24 in the Summer Work Experience Program beginning June 1, 2009 to September 30, 2009. 190 youth ages 14-24 will be provided with an occupational skills training component.

**ADULT/DISLOCATED WORKER PROGRAM**

MWC anticipates assisting 800 more participants with training opportunities with an emphasis on Health Care and Green technology. Veterans and their eligible spouses will be given priority of services in both the Youth and Adult programs.

The Human Services Department Stimulus Review committee and the County Stimulus Review Committee reviewed and approved the MWC ARRA projects. The MWC ARRA projects were presented and approved by the BOS on May 6, 2009 (C-22-09-141-3).

The County Stimulus Review Committee has reviewed and approved the American Recovery and Reinvestment Act (ARRA) Workforce Investment Act (WIA) Local Plan Modification Program Year 2009 for MWC. The MWC Board approved the plan on June 25, 2009, pending no changes through the public comment process; the MWC Executive Committee approved the final plan on June 30, 2009. This item does not contain any funds. (C-22-08-189-M-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**111. CONTRACT WITH BANNER/OLIVE BRANCH SENIOR CENTER TO PROVIDE SENIOR SUPPORT SERVICES**

Approve a Contract between Banner - Olive Branch Senior Center and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$10,000. The purpose of this Contract is to provide general senior center supportive services to protect the physical, emotional, and mental well being of eligible elderly individuals and to assist them in maintaining self-sufficiency. This Contract is effective from July 1, 2009 until June 30, 2010.

Funding for this contract with Banner/Olive Branch Senior Center is through an appropriation in the budget planned by the Board of Supervisors for Fiscal Year 2010 and is part of the FY 2009-2010 General Fund appropriation for the Department of Human Services. (C-22-10-011-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**112. AMENDMENT TO CONTRACT WITH AREA AGENCY ON AGING, REGION ONE, INCORPORATED FOR CASE MANAGEMENT SERVICES**

Approve Amendment No. 1 to an agreement between Area Agency on Aging, Region One, Incorporated and Maricopa County administered by its Human Services Department in the not -to-exceed amount of \$368,293. The purpose of this amendment is to extend the term of

the original contract effective July 1, 2008 to September 30, 2009.

Also, approve Addendum #1 and all other terms and conditions of the original contract remains in full force and effect.

Area Aging on Aging only provided us with funds for 3 additional months until the State of AZ's budget is finalized.

The Human Services Department current negotiated DHHS indirect rate for FY 2008-09 is 15.2% while the FY 2009-10 indirect rate is 18% (pending negotiation). The grant will incur equipment costs totaling \$5,458 which are not subject to indirect cost recovery. The recoverable indirect cost of administering the grant is \$ 47,874 and the non-recoverable indirect cost is \$8,818.

This contract is fully funded by Area Agency on Aging and will not affect the County General Fund. (C-22-09-024-3-00)

The Senior Adult Independent Living (SAIL) Program provides Case Management Services to over 4,000 individuals throughout Maricopa County. This program provides assistance to elderly and physically disabled adult individuals living at home in order to provide early intervention in identifying and coordinating service needs. (C-22-09-024-3-01)

Supervisor Wilcox said that with the yearly renewal of so many contracts she felt it was pertinent to remind all that Maricopa County does a tremendous amount of work in the area of human services as these items reflect. She believed many think of the County only in terms of the Courts and jails and so much more is done and those working do much good for the community she wanted to call attention to it.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **113. FUNDS TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **114. ST. MARY'S/WESTSIDE FOOD BANK ALLIANCE TENANT IMPROVEMENTS**

In accordance with lease agreement MC10126, grant consent of tenant improvements planned to be made by Lessee at the West Side Food Bank located at 13050 W. Elm in Surprise, Arizona and authorize Real Estate Service staff to notify St. Mary's/Westside Food Bank Alliance, as Lessee, of the Board's consent to the planned tenant improvements.

The subject Lessee has requested written consent from the County for Lessee to make improvements to the West Side Food Bank facility. Lessee desires to enlarge the food bank structure by adding approximately 6,500 square feet to the facility. The planned improvements will be made at Lessee's full cost and expense. (C-18-09-063-1-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**115. LEASE FINANCING CONTRACTS FOR THE FINANCING OF COUNTY DEPARTMENTAL COMPUTER EQUIPMENT**

Approve 10 FY 2009-10 Lease Financing Contracts and authorize the Chairman to execute all capital lease documents, including the "Declaration of Official Intent," required for the financing of County departmental computer equipment in an amount not-to-exceed \$2,500,000 (principal). Authorize appropriate departmental representatives to sign lease documents pertaining to their respective departments. All capital lease documents are subject to County Attorney Civil Division approval. The Department of Finance will facilitate the three-year reimbursement capital lease. The Office of Enterprise Technology will be expending funds for the capital equipment and will be reimbursed for their expenditures from the proceeds of the capital lease. Each Lease Financing Contract will be signed with a vendor approved by the Board under Bid Solicitation 00024-SC.

Estimated total capital lease payments, with an approximate 5.00% (estimated) interest rate for the maximum principal amount financed of \$2,500,000 equates to yearly debt service payments of approximately \$900,000 (principal and interest); monthly capital lease payments will be approximately \$75,000 (principal and interest). The funds are budgeted. (C-18-10-013-3-ZZ)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**116. LEASE FINANCING CONTRACTS FOR THE OFFICE OF ENTERPRISE TECHNOLOGY'S NETWORK INFRASTRUCTURE TECHNOLOGY EQUIPMENT**

Approve 10 FY 2009-10 Lease Financing Contracts and authorize the Chairman to execute all capital lease documents, including the "Declaration of Official Intent," required for the financing of the Office of Enterprise Technology's network infrastructure technology equipment in an amount not-to-exceed \$17,301,336 (principal). Authorize appropriate departmental representatives to sign lease documents pertaining to their respective departments. All capital lease documents are subject to County Attorney Civil Division approval. The Department of Finance will facilitate the three-year reimbursement capital lease. The Office of Enterprise Technology will be expending funds for the capital equipment and will be reimbursed for their expenditures from the proceeds of the capital lease. each Lease Financing Contract will be signed with a vendor approved by the Board under Bid Solicitation 00024-SC.

Estimated total capital lease payments, with an approximate 5.00% (estimated) interest rate for the maximum principal amount financed of \$17,301,336 equates to yearly debt service payments of approximately \$6,240,000 (principal and interest); monthly capital lease payments will be approximately \$520,000 (principal and interest). The funds are budgeted. (C-18-10-024-3-ZZ)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson



**Materials Management**

**117. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

**a. 09034-C, FELINE/CANINE VACCINE**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09034-C

Item: Feline/Canine Vaccine (\$1,200,000.00 estimate/three years until July 31, 2012, with three one-year renewal option) This contract will provide Feline/Canine Vaccines to county Animal Care and Control.

Intervet Inc. (C-73-09-098-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. 09009-RFP, YOUTH DEVELOPMENT AND DELINQUENCY PREVENTION PROGRAM**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09009-RFP

Item: Youth Development And Delinquency Prevention Program (\$400,000.00 estimate/one year until July 31, 2010, with four one year renewal option) This action is taken to award contracts to ChildHelp Keys Community Center and Valley of the Sun United Way (YMCA) for a one-year term with options to renew for up to a maximum of four years. Total estimated amount for the initial term is \$400,000.

ChildHelp  
YMCA/Community Initiatives (C-73-09-099-7-00)

Supervisor Wilcox commented on the County's proactive stance in assisting youth and adults to prevent getting into trouble and this program would be of tremendous help in that area. She asked that a quarterly progress report be given to Board Members.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. 09026-C, ASPHALT, EMULSIFIED & OIL & PETROLEUM RESIN**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and

subsequent execution of contracts.

Serial: 09026-C

Item: Asphalt, Emulsified & Oil & Petroleum Resin (\$9,000,000.00 estimate/six years until July 31, 2015). THIS CONTRACT WILL PROVIDE ASPHALT, EMULSIFIED & OIL & PETROLEUM RESIN TO PUBLIC WORKS

Ergon Asphalt Products  
Premier Emulsions LLC  
Wright Asphalt Products Company LLC (C-73-09-101-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. 09036-C, PRINTING: FOOD HANDLER CARDS AND SUPPLIES**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09036-C

Item: Printing: Food Handler Cards And Supplies (\$473,000.00 estimate/three years until July 31, 2012, with three one-year renewal option) This contract will provide Food Handlers Cards and Supplies to Environmental Services

Photomark/Colormark.AI-Cor (C-73-09-100-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**e. 08081-RFP, VOICE MAIL/MESSAGING SERVICES**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 08081-RFP

Item: Voice Mail / Messaging Services (\$1,250,000.00 estimate/five year until June 30, 2014, with five one year renewal option) Contract for a voice mail messaging system and maintenance program to replace the existing system for the general county government.

Black Box Network Services (C-73-09-083-7-00)

The Clerk announced that a fax had been received referencing a letter of protest on 117e and asking that the protest be entered in the record.

Wes Baysinger, Materials Management, responded that a letter of protest has not been received on the matter. He has reviewed each of the issues listed in the fax and advised that none of them rise to the level to cause this item to be delayed. He said the vendor has known about all items except the amount of the award since January 27, 2009, and has had the opportunity to protest during the intervening time period. He felt none of the

items mentioned had merit and a protest would not have been upheld.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**f. 07059-C, HIV-1/HIV-2 REAGENT TESTING AND EQUIPMENT RENTAL/PURCHASE**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 07059-C

Item: HIV-1/HIV-2 Reagent Testing And Equipment Rental/Purchase

Increase agreement in the amount of \$100,000.00, from current value of \$248,000.00 to \$348,000.00. This increase is requested for HIV-1/HIV-2 reagent testing and equipment rental for the Public Health Department until the expiration of the agreement on July 31, 2010.

Abbott Laboratories (C-73-09-103-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**g. 09046-S, MATERIALS TESTING**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09046-S

Item: Materials Testing (\$500,000.00 estimate/three years until July 31, 2012) Three year contract for testing of soil, materials, structural steel and fireproofing during construction of the new Court Tower.

Speedie & Associates, Inc. (C-73-09-107-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**h. 09037-C, TOPICAL INSECTICIDE**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09037-C

Item: Topical Insecticide (\$1,500,000.00 estimate/three years until July 31, 2012, with three one-year renewal options) Three year price agreement for Topical Insecticide for Animal Care and Control.

Pfizer Animal Health (C-73-09-106-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**i. 05205-C, TIRES, OFF-HIGHWAY, OFF-SITE ROAD SERVICE**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: July 22, 2009

Serial: 05205-C

Item: Tires, Off-Highway, Off-Site Road Service (\$510,000.00 estimate/three years until June 30, 2012) Price agreement renewal for off-highway, off-site road service.

Purcell Tire Company (C-73-09-105-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**j. 06081-C, WASTE CONTAINERS, STATIONARY, HYDRAULIC**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: July 22, 2009

Serial: 06081-C

Item: Waste Containers, Stationary, Hydraulic (\$350,000.00 estimate/one year until September 30, 2010) One year renewal of existing contract for waste containers used by Solid Waste Management at its sites throughout Maricopa County.

Haul-All Equipment (C-73-09-104-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**k. 09020-ROQ, CONTRACT INDIGENT REPRESENTATION (ADULT CRIMINAL) ATTORNEY SERVICES – OPDS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09020-ROQ

Item: Contract Indigent Representation (Adult Criminal) Attorney Services – OPDS (\$18,000,000.00 estimate/ten years until August 31, 2019 with ten one-year renewal option) Recommendation for contract award which provides adult indigent representation, for a period of ten years, as requested by the Office of Public

Defense Services.

See Attached Document 09020-Awardees 07-22-09 (C-73-10-001-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **Parks and Recreation**

##### **118. AMENDMENT TO COOPERATIVE AGREEMENT WITH SOUTHWEST CONSERVATION CORPS**

Approve Amendment No. 1 to Cooperative Agreement between Southwest Conservation Corps (SCC) and Maricopa County through the Parks and Recreation Department. The purpose of this amendment is to Exercise the last renewal option. This amendment is non-financial and is effective from June 21, 2009 until June 20, 2012. All other terms and conditions of the Agreement remain in full force and effect. (C-30-06-035-0-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **Risk Management**

##### **119. PHOENIX NEW TIMES VS. SHERIFF JOSEPH ARPAIO, ET.AL.**

Approve filing of a cross-appeal on the issue of prosecutorial immunity on behalf of Defendant Wilenchik in the Phoenix New Times v Arpaio et al case (US District Court No. CV2008-0997; Claim No.: GL1901920033575). This matter was discussed with the Board in Executive Session on May 4, 2009. (C-75-09-015-2-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

#### **Air Quality Department**

##### **120. AMENDMENT TO AGREEMENT WITH MARICOPA ASSOCIATION OF GOVERNMENTS FOR TRIP REDUCTION PROGRAM**

Approve Amendment No. 5 to an Agreement between Maricopa Association of Governments (MAG) and Maricopa County through the Air Quality Department in the not-to-exceed amount of \$935,588. The purpose of this amendment is to provide additional funding (\$25,588) for the Maricopa County Trip Reduction Program (TRP) in the not-to-exceed amount of \$935,588. This amendment is effective from October 1, 2008 to September 30, 2009. All other terms and conditions of the Agreement remain in full force and effect. (C-85-07-008-3-03)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**121. FACILITY USE AGREEMENT FOR USE OF REAL PROPERTY**

Approve and execute a new Limited Service Lease No. G-30123 with Peoria Unified School District for 100 square feet of Real Property, for use by the Air Quality Department , located at 10851 W. Williams Road, Sun City AZ . The lease period commences on July 22, 2009 and terminates on July 22, 2011. Automatic renewal for five one-year terms Annual rents, not including operations and maintenance fees and rental tax, for the initial term are:

Year	Price Per Square Foot	Monthly Property Rents	Annual Property Rents
2010			\$1,600.00
2011			\$1,300
2012			\$1,300
2013			\$1,300
2014			\$1,300
2015			\$1,300
2016			\$1,300

The County will pay the District a license fee of \$400.00 the first year and \$100.00 annually thereafter until Agreement termination. Additionally, the County will pay \$1,200.00 per year for electricity to power the Air Quality monitoring site, making a total expenditure impact of \$9,400.00. The Agreement is for two years from the date of execution and will automatically renew for five subsequent one-year terms thereafter unless terminated by either party. Either party may terminate the Agreement by giving the other party 90-day written notice prior to the anniversary date of the Agreement. (C-85-10-001-1-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Emergency Management**

**122. ADDITIONAL FUNDS FOR HOMELAND SECURITY GRANT REIMBURSEMENT 2007-GE-T7-0006**

Approve the additional funds in the amount of \$419.32 for the Homeland Security Grant from Arizona Department of Emergency Management to Maricopa County Department of Emergency Management (MCDEM) previously approved at \$26,938.63. This is a reimbursement grant and the indirect costs are not recoverable. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and, therefore, expenditure of the funds is not prohibited by the budget law.

Accept the Homeland Security Grant from Arizona Department of Emergency Management to Maricopa County Department of Emergency Management (MCDEM) is the not-to-exceed amount of \$419.32. This grant was awarded to MCDEM for the reimbursement of supply costs for the FY2009 Coyote Crisis Exercise. The grant award began on October 10, 2007 and ends on December 31, 2009. The Department of Emergency Management's indirect cost rate for FY 09 is 9.1%. Indirect costs are estimated to be \$38.16, this is a reimbursement grant and the indirect costs are not recoverable. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and, therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C-15-09-022-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Environmental Services**

**123. IGA WITH ADHS FOR PROPOSITION 201 SMOKE FREE ARIZONA ACT**

Approve an Intergovernmental Agreement (IGA) between Arizona Department of Health Services (ADHS) and Maricopa County through the Environmental Services Department, in the not-to-exceed amount of \$900,000. The purpose of this Intergovernmental Agreement is to implement education and report compliance of Proposition 201 Smoke Free Arizona Act. This Intergovernmental Agreement is effective from July 1, 2009 until June 30, 2010.

Pursuant to A.R.S. 42-17105, Intergovernmental Agreement revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. (C-88-09-010-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Equipment Services**

**124. IGA WITH THE TOWN OF BUCKEYE REGARDING COOPERATIVE USE OF FUEL**

Approve an Intergovernmental Agreement (IGA) between Town of Buckeye and Maricopa County through the Equipment Services Department, in the not-to-exceed amount of \$2,500,000. The purpose of this Intergovernmental Agreement is to allow Maricopa County to sell fuel from the County fueling station to the Town of Buckeye. This Intergovernmental Agreement is effective from July 1, 2009 until June 30, 2014.

Attached copy of the Intergovernmental Agreement between Maricopa County and the Town of Buckeye regarding Cooperative Use of Fuel that was approved by the Town Council on June 2, 2009. The extent of this agreement is five years. (C-74-09-006-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

**Facilities Management**

**125. TRADES SUPERVISOR POSITION REQUEST FOR PUBLIC WORKS DEPARTMENT, FACILITIES MANAGEMENT DIVISION**

Approve the creation of a Classified position (Trades Supervisor) in the Public Works Department, Facilities Management division. This position request is necessary due to the fact that the current Trades Supervisor participated in the Post Employment Health Enhancement (Retirement) Program (PEHPEP) which requires that the current position (#3690) be eliminated. Creation of a new position is necessary because of current and expected demand for services.

Approve an exemption to the PEHPEP in order to recruit for the newly created Trades Supervisor position with the range of \$22.88/Hour to \$28.27/Hour.

Position #3690, in the Public Works Department, was inactivated due to the previous incumbent's participation in the 2009 Retirement Health Enhancement Program. This position's current attributes are as follows:

PCN: 3690  
MRT: Trades Supervisor  
Status: Classified  
Budgeted Rate: \$32.42

Due to the nature of this position, the Public Works Department feels it necessary to replace position #3690 with a new position. The new position's attributes will be as follows:

PCN: NEW/TBD  
MRT: Trades Supervisor  
Status: Classified  
Budgeted Rate: \$28.27

The Public Works Office will achieve savings through hiring a new Trades Supervisor at a lower rate of pay than the retiring employee. This will result in achieving \$10,441 in savings as required under the 2009 Retirement Health Enhancement Program. Direct OMB to reduce the Public Works Department, Facility Management division's budget target for FY 2010-11 to reflect the \$10,441 savings. (C-70-10-001-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Works**

### **126. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-10-023-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **127. JOB ORDER CONTRACT WITH SOUTHWEST SLURRY SEAL, INC. FOR MICROSURFACING SERVICES**

Approve the award of Job Order Contract (JOC), Contract No. 2009-011 with Southwest Slurry Seal, Inc., for a not-to-exceed amount of \$6,000,000 for Microsurfacing Services performed when requested by the Maricopa County Department of Transportation through a specific Work Assignment.

This JOC shall be effective for a period of one year from the Board award date and may be renewed, if mutually agreed to by both the Contractor and the County, for an additional one year period. The Contractor shall be paid a total fee not-to-exceed \$6,000,000 over two years. The annual contract amount not-to-exceed \$3,000,000.

Job Order Contracting is authorized by Article 5 of the Procurement Code to enable the County to expediently complete smaller construction projects using pre-qualified contractors with structured pricing basis. The Maricopa County Department of Transportation (MCDOT) develops the scope of work and approves the contractor's cost proposal prior to the contractor starting work on a specific job order project. Satisfactory completion and quality of



work will determine is the contract is renewed each year. Supervisory District No(s). May encompass all Supervisory Districts. (C-91-09-174-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**128. JOB ORDER CONTRACT WITH ACE ASPHALT OF ARIZONA, INC. FOR SLURRY SEAL SERVICES**

Approve the award of Job Order Contract (JOC), Contract No. 2009-012 with ACE Asphalt of Arizona, Inc., for a not-to-exceed amount of \$6,000,000 for Slurry Seal Services performed when requested by the Maricopa County Department of Transportation through a specific Work Assignment.

This JOC shall be effective for a period of one year from the Board award date and may be renewed, if mutually agreed to by both the Contractor and the County, for an additional one year period. The Contractor shall be paid a total fee not-to-exceed \$6,000,000 over two years. The annual contract amount not-to-exceed \$3,000,000.

Job Order Contracting is authorized by Article 5 of the Procurement Code to enable the County to expediently complete smaller construction projects using pre-qualified contractors with structured pricing basis. The Maricopa County Department of Transportation (MCDOT) develops the scope of work and approves the contractor's cost proposal prior to the contractor starting work on a specific job order project. Satisfactory completion and quality of work will determine if the contract is renewed. Supervisory District No(s). May encompass all Supervisory Districts. (C-91-09-175-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**129. BID AND AWARD FOR IMPROVEMENTS OF 51ST AVENUE AT TASHQUINTH DRIVE, JUDUM AND BUNN ROAD CROSSING (PHASE II)**

Approve the addition of Project Number T168, Improvements of 51st Avenue at Tashquinth Drive, Judum and Bunn Road Crossing (Phase II), to the FY 2009-10 Partnership (PSUP) capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234).

Approve the solicitation of bids for the Improvements of 51st Avenue at Tashquinth Drive, Judum and Bunn Road Crossing (Phase II), MCDOT Project No. T168; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by ten percent.

Currently the 51st Avenue is a two lane road at Tashquinth Drive, Judum and Bunn Road crossing.

The purpose of this project is to widen 51st Avenue by adding a left and a right turn at the three above crossings, install street lighting, signing and striping, construct pedestrian crossing with Reflectorized Raised Pavement Marker, Signal Indicator, In-Road Warning Lights at North of Tashquinth Drive, replace portion of the pavement in the vicinity of the crossings. Construct and add 18" pipe culvert and 28"x20" CMPA at the existing driveway and Tashquinth Drive.

This project will be procured in accordance with the mandate set forth in the Maricopa County Procurement Code, Article 5, and Section 504. This project is located in Supervisor

District 5. (C-91-09-192-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**130. BID AND AWARD FOR PROJECT PAVEMENT PRESERVATION (PAVE)**

Approve the solicitation of bids for Gilbert Road – Low Flow Crossing at Salt River, Project Pavement Preservation (PAVE), Job No. T285; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by ten (10) percent.

The construction consists of improvements to existing northbound Gilbert Road just north of Thomas Road. The detail scope description includes installation of new pavement, construction of pipes, installation of inlet and outlet headwalls, construction of gabion baskets and other drainage improvements.

This project was included in the FY 2009-10 budget and additional funding is available in the project bin reserve. This addition results in a net impact of zero and do not change the duly adopted budget as approved by the Board of Supervisors.

This project will be procured in accordance with the mandate set forth in the Maricopa County Procurement Code, Article 5, and Section 504. This project is located in Supervisor District 2. (C-91-09-194-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**131. AMENDMENT TO AGREEMENT WITH PHOENIX SPEEDWAY CORPORATION**

Approve the Amendment to the existing Agreement C-64-05-072-2-00, approved on October 6, 2004, between Maricopa County and Phoenix Speedway Corporation (PSC), which will in effect cancel the County's participation for traffic control during special events after the November, 2009 race. Both parties mutually agree to this amendment.

Both parties wish to terminate the existing agreement, as follows:

By the April, 2009 race, PSC will have contracted with an outside firm for future traffic control. At the April race, the contractor will observe and work closely with Maricopa County's Department of Transportation personnel, under the direction of County personnel.

During the second race (November, 2009) the PSC contractor will assume the responsibility for traffic control, with County personnel assisting as an observer and providing advice when needed.

By April, 2010, the County will no longer actively participate in the execution of traffic control for any of the PSC races.

Both Parties agree that this Agreement will terminate upon the completion of all tasks associated with the November, 2009 race and in any event no longer than November 30, 2009.

Once this Agreement has been terminated, PSC will need to obtain appropriate approvals from the County for their "traffic control plans" through the standard county permit process.

PSC will reimburse the County for Mr. John Counts' time in the "assistance & advisory" role with PSC's contractor for the November, 2009 race. The total recoverable charge for Mr. Counts' time is estimated at \$4,000.00, but will not exceed \$5,000.00. An accounting of actual hours will be included within the invoice submitted for payment. Supervisory District No. 5 (C-64-05-072-2-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**132. IGA WITH CITY OF LITCHFIELD PARK FOR RECONSTRUCTION OF PERIMETER WALL**

Approve the Intergovernmental Agreement (IGA) between Maricopa County, acting through the Maricopa County Department of Transportation (County), and the City of Litchfield Park (City) for reconstruction of the perimeter wall on the north side of Indian School Road from Desert Springs Baptist Church property, Parcel # 5021-71-504-C, to the southwest corner of the City park, Parcel #501-71-142-C, (Sta. # 28+60 to 62+00). The change in profile of the road necessitates reconstruction of the perimeter wall on the north side of Indian School Road from Sta. #28+60 to 62+00 (project). The City will be the lead agency for the project. The estimated cost of the project is \$775,000.

Also, approve the addition of Project Number T186, Indian School Road: Litchfield Road to Dysart Road, to the FY 2009-10 County Arterials (ARTS) capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234). This project was not included in the FY 2009-10 budget but funding is available in the project bin reserve. This addition results in a net impact of zero and do not change the duly adopted budget as approved by the Board of Supervisors.

The purpose of this agreement is to address the adverse impact of recently completed improvements to Indian School Road from Old Litchfield Road to Dysart Road. As a result of these improvements, the profile of Indian School Road from the Desert Springs Baptist Church property, Parcel # 5021-71-504-C, to the southwest corner of the City park, Parcel #501-71-142-C, (Sta. # 28+60 to 62+00) has changed. The change in profile of the road necessitates reconstruction of the perimeter wall on the north side of Indian School Road from Sta. #28+60 to 62+00.

The County will pay 100% of the total project costs of \$775,000. In the event the actual project costs exceed the maximum estimate based on a square footage price of \$25.00, the Parties, by Letter of Agreement, will decide how to allocate the excess Project Costs or to terminate the Project.

In an IGA approved by the Board of Supervisors on April 25, 2007, (C-64-07-203-2-00) the City of Avondale agreed to annex the entire ROW upon completion of the Roadway improvements as shown in Exhibit B attached. To accommodate this project agreement, the City of Litchfield Park will annex that portion of the ROW from one foot north of the Roadway curb to the north ROW line, as more specifically identified in Exhibit A attached to the IGA, and the remainder of the ROW is to be annexed by the City of Avondale. Supervisory District No. 4 (C-91-09-195-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**133. AGREEMENT WITH MARICOPA ASSOCIATION OF GOVERNMENTS FOR ROADWAY IMPROVEMENTS**

Approve a Revenue Agreement between Maricopa Association of Governments (#09-ELM-10-03-D) and Maricopa County acting through Maricopa County Department of Transportation, in the amount not-to-exceed \$9,721,991. The purpose is to approve the Project Agreement between the Maricopa Association of Governments (MAG) and Maricopa County, acting through the Maricopa County Department of Transportation (MCDOT) for regional reimbursements associated with the design, right-of-way and construction costs of roadway improvements to El Mirage Road from Deer Valley Drive to Loop 303, ALCP Project Job Number TT104. The total amount of reimbursements expected to be received from MAG for this Project is \$9.72 million. This Revenue Agreement is effective from MAG approval date until completion of reimbursements.

In November 2004, voters of Maricopa County approved a transportation excise tax for the purpose of implementing the Regional Transportation Plan (RTP). Maricopa Association of Governments (MAG) was required by law to adopt a program that provided for life cycle management for the funding and programming of the Arterial Life Cycle Program (ALCP), as part of the RTP.

ALCP Project Job Number TT104, El Mirage Road from Deer Valley Drive to Loop 303, is included in the RTP and is eligible for regional funding on a reimbursement basis. Under the approved FY2009 MAG RTP update, \$9.72 million has been programmed for reimbursement between FY2016 and FY2018. However, in the event of the availability of ALCP Closeout Funds during FY2010, the reimbursements for this project could be received earlier than anticipated.

As the lead agency, MCDOT has submitted the required MAG Project Overview and must also submit an approved Project Agreement to Maricopa Association of Governments for execution. Reimbursements will be sent to the Maricopa County Department of Transportation as part of the Arterial Life Cycle Program (ALCP).  
Supervisory District 4 (C-91-09-196-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**134. BID AND AWARD FOR SUN CITY MILL & RESURFACE PROJECT, PHASE 3 (MRS3)**

Approve the addition of Project Number T174, Sun City Mill & Resurface, Phase 3, to the FY 2009-10 Pavement Preservation (PAVE) capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234).

Approve the solicitation of bids for the Maricopa County Department of Transportation's Sun City Mill & Resurface Project, Phase 3 (MRS3), Project Number T174. Award the contract to the lowest responsive responsible bidder, provided that the lowest responsive responsible bidder does not exceed the Engineer's estimate by more than ten percent.

This project consists of edge-milling the existing road surfaces and replacing with new asphalt-rubber concrete pavement. The new pavement surfacing is necessary due to the deteriorating pavement on these roads and will extend the useful performance life of these roads. Resurfacing and delineating these roads will provide structurally sound, smooth-riding, and safe roadways for the traveling public.

The project consists of approximately 72 lane miles (591,478 square yards) of various arterial and local roads, detailed in the included Road List. Supervisory District No. 4 (C-91-

09-197-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**135. ROAD ABANDONMENT (ROAD FILE NO. AB-231)**

Pursuant to A.R.S. §28-7214, adopt Resolution AB-231 to abandon a portion of Quenton Street in the vicinity of 96th Street and Brown Road, by extinguishing a portion of the easement which was conveyed to Maricopa County by means of an Easement and Agreement for Highway Purposes on October 10, 1975 and recorded by the Maricopa County Recorder as Docket 11370, Page 136. (C-91-09-191-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**136. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF GILBERT**

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Gilbert of County right-of-way within: Queen Creek Road from North quarter corner Section 15, T2S, R6E to R.W.C.D. Canal, in accordance with Ordinance No. 2231. (Supervisory District No. 1) (C-91-09-198-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**137. EXCEPTION TO TECHNOLOGY FINANCING PROGRAM FOR PURCHASE OF SERVERS FOR REGIONAL ARCHIVED DATA SYSTEM**

Approve an exception to the Technology Financing Program (TFP) to allow the Department of Transportation to purchase three Servers for the Regional Archived Data System (RADS) using federal grant funding. The total estimated purchase price of the Reverse Proxy Servers is \$25,141, to be paid 100% with reimbursable federal AZTech Integrated Transportation and Emergency Communication Network Grant funding.

On June 24, 2004, the Board approved Agenda Item No. C-64-08-250-2 that authorized the acceptance of Federal Grant monies to accomplish the AZTech Intelligent Transportation Systems Integrated Transportation and Emergency Communications Network. The enhancements will provide significantly improved real-time data and camera exchange between transportation and public safety agencies. Regional Archived Data System is a key integral component that facilitates data exchange. It is a group of computers and software that serves as a critical hub for regional data exchange, integration and archival. The vital applications that reside on the RADS include:

- City of Phoenix Fire Department Emergency dispatch events covering 80% of the valley.
- Arizona Department of Transportation (ADOT) real-time Freeway Management System (FMS) volume, occupancy and speed.
- Traffic Management System intersection status reporting utilizing center-to-center (C2C) messaging protocols
- Real-time calculation and dissemination of freeway corridor travel times

When originally deployed in 2003 with three servers, the RADS simply processed the ADOT FMS volume, occupancy and speed information. A hardware upgrade performed in 2006 dedicated three additional servers for production (versus development) operation mode to handle the growing workload. Over the years, the number of critical applications running on

the RADS have increased, and a need for a stable and robust hardware operating environment has emerged. Today, as these systems continue to tax the aging hardware, an additional significant workload has been identified: the additional future TMS C2C cities. Recent failures in hardware power supplies and hard drives have highlighted the need to address the aging hardware issues. The addition of three more RADS servers will enable the system to account for the anticipated growth in network traffic and data, plus allow for a smooth transition resulting from the expected demise of the aging servers.

All items are 100% funded by the Federal Grant. Thus for the three servers, the total estimated purchase price is \$25,141, to be paid fully with reimbursable federal grant funding. Supervisory Districts 1, 2, 3, 4, and 5 (C-91-10-001-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**138. CREATION OF POSITIONS IN PUBLIC WORKS FOR INSPECTOR, OPERATIONS/PROGRAM MANAGER AND ENGINEERING TECHNICIANS**

Approve the creation of four classified positions in the Public Works Department (Inspector, Operations/Program Manager and Two Engineering Technicians). These position requests are necessary due to employees' participation in the Post Employment Health Enhancement (Retirement) Program (PEHPEP) which requires that their positions be eliminated. The creation of a these new positions is necessary because of current demand for services.

The following positions in the Public Works Department were inactivated due to the incumbent's participation in the 2009 Retirement Health Enhancement Program. The positions' current attributes are as follows:

PCN: 20037  
MRT: Inspector  
Status: Classified  
Budgeted Rate: \$28.46

PCN: 16763  
MRT: Operations/Program Manager  
Status: Classified  
Budgeted Rate: \$36.46

PCN: 3417  
MRT: Engineering Technician  
Status: Classified  
Budgeted Rate: \$27.78

PCN: 3419  
MRT: Engineering Technician  
Status: Classified  
Budgeted Rate: \$27.78

Due to the nature of these positions, the Public Works Department finds it necessary to replace the positions with new positions. The new positions' attributes will be as follows:

MRT: Inspector  
Status: Classified  
Budgeted Rate: \$24.23

MRT: Operations/Program Manager  
Status: Classified  
Budgeted Rate: \$32.81

MRT: Engineering Technician  
Status: Classified  
Budgeted Rate: \$22.27

MRT: Engineering Technician  
Status: Classified  
Budgeted Rate: \$22.27

The Public Works Department will achieve savings through creating and filling less costly positions. This will result in \$47,267 saved as required under the 2009 Retirement Health Enhancement Program. (C-91-10-003-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **BOARD OF SUPERVISORS**

### **Clerk of the Board**

#### **139. REAPPOINTMENT TO THE HOUSING AUTHORITY OF MARICOPA COUNTY**

Approve the reappointment of Lillian Mickey Lund to the Housing Authority of Maricopa County representing Supervisorial District 4. The term of the appointment will be effective as of the date of Board approval through June 30, 2013. (C-06-09-470-9-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Industrial Development Authority**

#### **140. INDUSTRIAL DEVELOPMENT AUTHORITY FOR ISSUANCE OF ITS COMMUNITY SERVICES FACILITIES REVENUE BONDS (MARC CENTER OF MESA, INC. PROJECT), SERIES 2009**

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa for the issuance of its Community Services Facilities Revenue Bonds (Marc Center of Mesa, Inc. Project), Series 2009, to be issued in one or more series in an amount not to exceed \$14,000,000 aggregate principal amount.

This item is being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board of Supervisors approve the proceedings under which bonds of The Industrial Development Authority of the County of Maricopa are issued. (C-18-09-061-4-00)

Supervisors Brock and Stapley commented on the positive work done by the Industrial Development Authority and those who actively work on that Board.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Adult Probation**

#### **141. ESTABLISH A PRESENTENCE REPORT FEE**

Set a public hearing for August 19, 2009, to establish a Presentence Report Fee of \$150.00 per defendant report to begin upon approval by the Board of Supervisors pursuant to a request from the Presiding Judge of the Superior Court of Arizona in Maricopa County. The proposed presentence report fee will be assessed against each individual for whom, at the time of sentencing, the department was ordered by the Court to investigate and complete a presentence report. This fee shall be collected by the Clerk of the Superior Court from the individual within thirty (30) days of sentencing or release from custody. The Presentence Report Fee shall be deposited by the Clerk of the Superior Court into the Adult Probation Services Fees Fund (201).

A.R.S. §11-251.08 authorizes county boards of supervisors to adopt fees for any specific service the county provides to the public as long as that fee is attributable to and defrays the expense of the service for which the fee is assessed and the fee does not exceed the actual cost of that service. In FY 08, presentence division staff completed 17,411 reports at a cost of \$434.91 each. The Court would like to assess a fee of \$150 as a partial cost recovery. This amount represents a realistic level at which to test collection ability. It will be evaluated following the first year of collections to determine the appropriateness of increasing the amount based on collection rates. (C-11-09-006-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Clerk of the Board**

#### **142. IMPACT STATEMENT FOR THE PROPOSED LONGMANOR IRRIGATION WATER DELIVERY DISTRICT**

Pursuant to A.R.S. § 48-261 and § 48-263, receive the impact statement for the proposed Longmanor Irrigation Water Delivery District and set a public hearing for 9:00 a.m., Wednesday, September 2, 2009.

At the hearing on September 2nd, the Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district impact statement and authorize the persons proposing the district to circulate petitions.

In addition, approve a bond in the amount of \$250 to be filed with the Board by the persons proposing the district to cover costs incurred by the County if the district is not finally organized pursuant to A.R.S. §48-261(C).

The proposed district is located in the Longmanor Subdivision Community between Indian School Road and Clarendon Avenue near 42nd Place and 43rd Street in Phoenix and



contains approximately 62 parcels (Supervisory District 3). (C-06-10-001-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Planning and Development**

### **143. STREET NAME CHANGES IN SUN KISSED ESTATES**

Set a public hearing for 9:00 a.m., Wednesday, August 19, 2009, to change street names in Sun Kissed Estates, Sunkissed Ranches and Sunkissed Ranches Unit 2, in Township 2 North, Range 8 West.

The following streets are to change from Dahlia Lane to Pierson Street; from Lotus Lane to Highland Avenue; from Ivy Lane to Meadowbrook Avenue; from Jasmine Lane to Campbell Avenue; and, from Smokey Wood Lane to Indian School Road.

This request supports the effort to maintain established and recognized street alignment names for emergency vehicle access.

There is no existing development that will be directly affected by the street name changes. Therefore, residential addresses will not be impacted. (C-44-09-153-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Works**

### **144. Set a public hearing to declare the following roads into the county highway system for 9:00 .m., Wednesday, August 19, 2009.**

#### **a. ROAD FILE NO. 5830**

Road File No. 5830 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Ocotillo Road and 228th Street. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisory District No. 1 (C-91-09-193-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **b. ROAD FILE NO. A-417**

Road File No. A-417, said alignment is also known as 11th Avenue from Honda Bow Road to 13th Avenue, lying within Supervisory District No. 3

General Vicinity: 11th Avenue from Honda Bow Road to 13th Avenue. This action is in accordance with A.R.S. Title 28- 6701, 6702 and 6703. (C-91-09-199-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. ROAD FILE NO. A419**

Road File No. A-419, said alignment is also known as 11th Avenue from Maddock Road to Joy Ranch Road, lying within Supervisor District No. 3. (C-91-10-002-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Air Quality**

**145. PROPOSED CONFERENCE REGISTRATION FEES**

Pursuant to A.R.S. §11-251.08, set a public hearing for August 19, 2009 to solicit comments and consider the adoption of acceptance of proposed registration fees for the Air Quality Department's first Annual Air Quality Conference. If the fees are approved by the Board after hearing the item, this item will become effective August 19, 2009.

Set a public hearing for August 19, 2009 to solicit comments on proposed registration fees for the Air Quality Department's first Annual Air Quality Conference to be held on October 20, 2009 (approved by the Board of Supervisors on June 17, 2009, agenda # C-85-09-020-P-00). Following the hearing on August 19, 2009, adopt the proposed registration fees of \$85 per attendee for general admission and \$25 for student admission with registration complete by October 6, 2009. Registrations completed October 7, 2009 or later will have a registration fee of \$105 per attendee for general admission and \$45 for student admission. Registration fees will help to cover the costs of arranging and holding the conference. Costs include but are not limited to conference room rental fees, meals, audio-visual equipment, and other conference services. (C-85-10-002-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**CONSENT AGENDA**

**Clerk of the Board**

**146. APPOINTMENTS**

Pursuant to A.R.S. 11-401, -409, approve the official appointments of deputies, clerks, and assistants of County Officers-County Attorney. List on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**147. DONATIONS**

In accordance with County Policy A2805, accept the annual reports received from Animal Care & Control for FY 2009 as on file in the Clerk of the Board's Office. (C-06-10-015-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**148. DUPLICATE WARRANTS**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-10-016-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**149. MARKET RANGES**

Pursuant to A.R.S §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-10-006-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**150. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors meetings held January 21, 2009; February 18, 2009; February 19, 2009; March 25, 2009; March 26, 2009; March 27, 2009; March 30, 2009; April 1, 2009; April 8, 2009; April 15, 2009; April 16, 2009; April 22, 2009; April 29, 2009; May 6, 2009; May 20, 2009; and May 27, 2009. (C-06-10-007-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**151. PRECINCT COMMITTEEMEN**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-10-017-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**152. SECURED TAX ROLL CORRECTIONS**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-10-018-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**153. SETTLEMENT OF PROPERTY TAX CASES**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated July 22, 2009. List is on file in the Clerk of the Board's Office. (C-06-10-021-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**154. STALE DATED WARRANTS**

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-10-019-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**155. TAX ABATEMENTS**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-10-020-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**BOARD OF SUPERVISORS ADDENDUM**

**Sheriff**

**A-1. SALE AND TRANSFER OF EQUIPMENT TO TACTICAL SUPPORT POSSE**

Pursuant to A.R.S. 11-251 (9), approve the sale for \$3,628 of County vehicle #31434, a 2004 Ford Expedition that is designated to go to auction to the Tactical Support Posse. The amount is the average auction value of two like vehicles sold at auction in the last eight months. This item was continued from the March 18, 2009, April 1, 2009, and June 17, 2009 meetings. Unanimous consent of the board is required. (C-50-09-057-M-00)

Motion to approve on a roll call vote by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Finance**

**A-2. POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**

Approve and authorize the granting of a Power Distribution Easement, without a public auction pursuant to A.R.S. 11-251 (9), to Salt River Project Agricultural Improvement and Power District (SRP), its successors and assigns, in consideration of \$1.00, to provide new electrical service to Maricopa County property located at Dorsey Road and Broadway Road, Tempe, Arizona, and authorize the Chairman to execute the necessary Easement. This item was continued from the June 17, 2009 meeting. This item requires the unanimous consent of the board. (C-18-09-056-8-00)

Motion to approve on a roll call vote by: Supervisor Brock, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Risk Management**

### **A-3. RODRIGUEZ VS MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT ET. AL.**

Approve Settlement in the amount of \$540,000.00 in the case Rodriguez v, Maricopa County Special Health Care District, Superior Court No. CV2009-004992 (Claim No.: MM9002000033550) and authorize the Chairman to sign any necessary settlement documents upon review and approval as to form by assigned legal counsel. This matter was discussed with the Board in Executive Session on July 20, 2009. (C-75-10-001-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Human Services**

### **A-4. AGREEMENT WITH ARIZONA COMMUNITY ACTION ASSOCIATION FOR HOME WEATHERIZATION**

Approve Agreement between Arizona Community Action Association (ACAA) and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$288,058. The purpose of this Agreement is to provide low-income home weatherization and utility-related repair and replacement. This Agreement is effective from May 1, 2009 until April 30, 2010.

The Human Services Department's current negotiated DHHS indirect rate for FY 2008-09 is 15.2% while the FY 2009-10 indirect rate is 18% (pending negotiation). The grant will incur subrecipient costs totaling \$234,446.00 which are not subject to indirect cost recovery. The recoverable indirect cost of administering the grant is \$7,073.81 and the non-recoverable indirect cost is \$1,303.07.

This grant is fully funded by a contribution from the Salt River Project and managed by ACAA and will not affect the County General Fund. (C-22-09-157-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **A-5. IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR WORKFORCE INVESTMENT ACTIVITIES**

Approve an Intergovernmental Agreement (IGA) with Arizona Department of Economic Security (DE101047) and Maricopa County, administered through its Human Services Department Workforce Development Division Maricopa Workforce Connections (MWC). The purpose of this Agreement is to provide funding for Workforce Investment Act activities. The funds are provided under the Workforce Investment Act (WIA) Title 1B federal grant program. Services to be provided under this agreement include: Youth, Summer Youth Employment, Adult, and Dislocated Worker services. Funding amount is \$8,649,126 for Maricopa Workforce Connections activities. The term of the IGA is from April 1, 2009 to June 30, 2012.

The Human Services Department's current negotiated DHHS indirect rate for FY 2008-09 is 15.2% while the FY 2009-10 indirect rate is 18% (pending negotiation). Of the \$8,649,126, sub-recipient costs in the amount of \$2,360,893, equipment costs of \$196,071 and direct pay costs of \$239,107 are not subject to indirect charges. Therefore, the total indirect cost is estimated at \$914,540 of which \$772,278 is recoverable and \$142,262 is unrecoverable.

Due to the quantity of line items, the financial impact within SOLAR is summary only. Please refer to the spreadsheet named C-22-10-008-3-00 DES IGA SOLAR IMPACT.xls attached in the agenda files for detailed information. (C-22-10-008-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING RECESSED**

Chairman Wilson recessed the Board of Supervisors to reconvene as the Board of Directors of various special districts.

### **MEETING RECONVENED**

Chairman Wilson reconvened the Board of Supervisors.

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

156. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

Lydia Guzman, President, Somos America, a coalition of more than 30 organizations, discussed the extended 287G Agreement offered to Sheriff Arpaio by Homeland Security. She expressed surprise that this renewal was offered due to the investigations of the Sheriff's Office on allegations of racial profiling. She said members of her organization have witnessed incidents of racial profiling and have taken steps to document and talk to such victims on the abuse by the Maricopa County Sheriff. She asked the Board to assume more oversight if the Sheriff signs the agreement renewal.

Carlos Garcia said the understanding is that the County has a 90-day window to assess whether to sign the 287G renewal agreement. The current agreement, as signed by the Board, has led to constant racial profiling abuses of Maricopa County citizens. He asked the Board to take a larger role and assume the responsibility of not signing the 287G agreement. He believed the Sheriff will not change his previous behavior under the new agreement.

Salvador Reza asked why a translator was not present at Board meetings so those who do not speak English can comment and/or understand what is said. He recommended that a translator be available at meetings.

Salvador Ongaro asked the Board to "step in and supervise any new 287G Agreement between Homeland Security, ICE and the Sheriff's Office. He added that what Supervisors do is to supervise and requested that the Board closely follow and supervise activities as they are carried out under the new regulations. He noted several changes in the new agreement and said that ICE would review and approve but would not protect Maricopa County taxpayers and the money taken out of tax coffers as a

result of any violations that may occur. He reminded the Board that it has the power to supervise both entering into the Agreement and how it is used to protect the taxpayers and asked that Members utilize both.

Richard Romero said his father was born in Phoenix in 1914 and he was born in Tempe in 1951 -- a long and established family history as residents of Maricopa County. Yet he has been racially profiled and humiliated under the auspices of 287G since 2007. He asked the Board to carefully weigh considerations in renewing this Agreement believing there is too much risk to public safety and too many opportunities for abuse of power.

Alessandra Metz, Executive Director of the ACLU in Arizona, said they do not believe the new MOU addresses any of the abuses of civil rights and abuse of police misconduct that have been mentioned by speakers this morning, and that some of the new provisions are actually worse than the original. While the new Agreement designates priority levels there are no measures to assure that these protected priorities will translate into practice. She noted several specific differences she felt were troublesome and said she had distributed a comparison between the new and old agreements for the Board. She urged the Board not to authorize the new agreement.

**157. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

Supervisor Wilcox asked David Smith to have attorneys review the new Memorandum of Agreement (MOA) to check the allegations made today, before the Board votes on the MOA. She noted that profiling lawsuits have been filed against Maricopa County and steps should be taken to protect the County in this area as court costs are expensive.

Supervisor Stapley said the Board would be addressing the language barrier, that he and Supervisor Wilcox both understand Spanish but translators are needed for the rest of the Board's understanding as well as for the public's. He felt it was important for both sides to learn all the facts accurately.

Supervisor Stapley continued by relating National Association of Counties (NACo) changes made relating to the immigration problems, as well as to many other areas of interest, in the 2,400 counties across the country through their membership. Supervisor Stapley has been President of NACo for the past year. His term of office ends next week, following the annual NACo Conference beginning this Friday in Nashville TN, where meetings and exchanges of information will be held with representatives of Congress. He said NACo has challenged the Administration and Congress to instigate a civil dialogue on the need for comprehensive immigration reform, which has failed so miserably on the local level. He believes immigration is a federal issue and one in which the federal policies have failed local governments across the land. He said he and other NACo representatives have been discussing this in all parts of the country and will continue this discussion with the federal government representatives next week.

David Smith said that Maricopa County participants maintain a prominent role in national conferences every year. Mr. Smith will do a break-out session at NACo on "Budgeting in Tough Times," a case study of how Maricopa County handles its financial issues. Supervisor Wilcox and County Recorder Helen Purcell, as well as other County officials, hold positions of leadership in NACo. Maricopa County has won 23 NACo Awards for quality programs, including a "best in class for Internal Audit." Mr. Smith said all who have experienced it are very proud of the kind of major, substantive leadership that Supervisor Stapley has exhibited as NACo's President. He has taken some of the best things that we do in Maricopa County and taken them across the country. We've watched them bloom successfully and know this was because of his efforts. Mr. Smith said that Supervisor Stapley did this with a lot of grace and positive energy under some

very trying circumstances, which he called a "real test of character."

Supervisor Wilcox said that NACo President Stapley had warned her that if he gave her a committee she would have to "work hard" and added, "I've never worked harder in my life!" She said that NACo, under Don's leadership, and with their top notch executive board has really made a presence nationally. She added, "They have inserted 'county' into President Obama's language." She said they have attended several meetings at the White House under Don's leadership that gave us direct input into policies. She told the NACo President, "It's been a real joy to have you there."

Supervisor Wilcox also pointed out that the County's Facilities Management Department has been recognized nationally in BUILDINGS MAGAZINE as one of the five leading counties in the nation in best facilities management for work order management practices. She added, "It is always with a lot of pride when you go someplace and say you are from Maricopa County."

Supervisor Brock said Stapley's service as President of NACo has been exceptional. "Very demanding on your time under difficult circumstances, and your creativity and energy has "set a standard that will be difficult to keep up in the future." Mr. Brock added that his involvement on NACo's Green County Committee has been rewarding and explained that Maricopa County is making every effort to lead the country in green development and is working closely with Arizona Public Service and Salt River Project in these efforts.

Chairman Wilson spoke on some of the tensions the Board has experienced with the County Attorney that he felt residents needed to know about and he related several different incidents. He said he had met with Andrew Thomas to try to reconcile some of the differences. He expressed hope that improvements would be possible in the future.

**\*\*\*The Board of Supervisors will now consider Code Enforcement Reviews\*\*\***

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.**

## **PLANNING AND ZONING ITEMS**

David Smith left the dais and Victoria Mangiapane left the meeting at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Wayne J. Peck, Deputy County Attorney, came forward to present the following planning and zoning cases.

## **CODE ENFORCEMENT REVIEW**

### **PZ-1. REYNAGA - V200600684**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200600684, Reynaga (Supervisor District 4). This item was continued from the April 15, 2009 meeting. (C-44-09-113-M-00)



The Clerk said this item had been withdrawn as a settlement was reached.

**PZ-2. KACER - V200801132**

~~This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200801132, Kacer (Supervisor District 4) This item was continued from the June 3, 2009 meeting.~~ **This case was settled via a plan of compliance.** (C-44-09-139-M-00)

The Clerk said this item had been withdrawn as a settlement was reached.

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned at 10:20 a.m.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **IMPROVEMENT DISTRICT AGENDA**

The Board of Directors of the Improvement District convened in Formal Session at 9:00 AM on Wednesday, July 22, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **I-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors meeting held April 1, 2009. (C-06-10-012-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **FLOOD CONTROL DISTRICT AGENDA**

The Board of Directors of the Flood Control District convened in Formal Session at 9:00 AM on Wednesday, July 22, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-10-022-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-2. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors meetings held April 1, 2009; May 6, 2009; and May 20, 2009. (C-06-10-008-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-3. IGA WITH CITY OF GLENDALE FOR GLENDALE AREA DRAINAGE/STORM WATER MASTER PLAN**

Approve Intergovernmental Agreement (IGA) FCD 2009A002 for the Glendale Area Drainage/Storm Water Master Plan (Study) between the City of Glendale (City) and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the Study. The estimated Study cost is \$1,218,000 and will be shared equally by the City and the District. The IGA shall become effective when recorded at the office of the County Recorder and shall expire five years from the date of recording or upon Project completion, whichever comes first.

The Study is proposed to identify and develop solutions to mitigate flooding hazards in the watersheds that affect Glendale. These watersheds include Glendale-Peoria and Maryvale. The Study will include planning, hydrology review and revisions, development of alternatives, preliminary design, identification of rights-of-way requirements, and cost estimates. The Study will recommend construction of regional systems to mitigate identified flooding hazards. Supervisor District 4. (C-69-09-075-3-00)

Motion to approve by: Director Wilcox, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-4. IGA WITH ARIZONA DEPARTMENT OF WATER RESOURCES FOR ARIZONA PROBABLE MAXIMUM PRECIPITATION STUDY**

Approve Intergovernmental Agreement (IGA) FCD 2009A010 between the Arizona Department of Water Resources (ADWR) and the Flood Control District of Maricopa County (District) for the Arizona Probable Maximum Precipitation (PMP) Study. This IGA is for cost sharing of the Study. The estimated total Study cost is \$850,000 and will be shared by ADWR and the District with the District's share not-to-exceed \$200,000. The IGA shall become effective upon the date it is executed by both parties and shall expire on December 31, 2011.

ADWR is leading an effort to update PMP values for the various climatic and topographic regions of Arizona, including Maricopa County and those watersheds that affect it. PMP is used to evaluate the safety of high and significant hazard potential dams. The District operates and maintains 20 high and 2 significant hazard potential dams in Maricopa and Pinal Counties. The updated PMP values will significantly reduce dam rehabilitation costs and allow for increased level of flood protection provided to residents of Maricopa County. This Agenda Item impacts all Supervisor Districts. (C-69-09-076-3-00)

Motion to approve by: Director Wilcox, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-5. CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES**

Award Contract FCD 2008C041, Powerline, Vineyard Road, and Rittenhouse Flood Retarding Structures (PVR FRS) Rehabilitation or Replacement Project to Kimley-Horn and Associates, Inc. for professional engineering services. This contract amount is \$ 2,000,000. The contract performance is 730 calendar days effective the date of the Notice to Proceed. This is a qualification-based selection in accordance with Maricopa County Procurement Code, Article 5, Paragraph 504.

The PVR FRS are three flood control dams that were all designed and built by the Soil Conservation Service (now the Natural Resources Conservation Service – NRCS). The PVR FRS are located in northwest Pinal County, south of Apache Junction. They lie on the east side of the Central Arizona Project canal (CAP), and extend south from approximately Baseline Road to the Ocotillo Road alignment, which is a distance of approximately 12 miles. The structures were built from 1967 to 1969 with federal assistance under the PL-566 Watershed Protection & Flood Protection Act. The Flood Control District (District) currently operates and maintains the dams and associated facilities under operating agreements with NRCS: Powerline IGA FCD 90002, Vineyard Road IGA FCD 89008, Rittenhouse IGA was signed July 14, 1970 (no IGA number was associated with it).

These structures provide flood protection for residential, commercial and agricultural areas as well as critical public facilities and infrastructure such as: Williams Gateway Airport, San Tan Freeway (SR-202L), other public roadways, railroads and the CAP Canal. The ability of the PVR FRS to maintain the current level of protection in the long-term for the benefit of the public in an increasingly urbanized environment is in question due to significant concerns regarding aging infrastructure, land subsidence, earth fissuring, urbanization encroachment and inability to meet current dam safety standards. These dam safety issues have led the District to initiate this project for the rehabilitation or replacement of the dams. This agenda item impacts Supervisory District 1. (C-69-10-001-5-00)

Motion to approve by: Director Wilcox, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Max W. Wilson, Chairman of the Board

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Fran McCarroll, Clerk of the Board

## **LIBRARY DISTRICT AGENDA**

The Board of Directors of the Library District convened in Formal Session at 9:00 AM on Wednesday, July 22, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Don Stapley, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **L-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held April 1, 2009; May 6, 2009 and May 20, 2009. (C-06-10-010-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-2. DONATIONS**

In accordance with County Policy A2805, accept the monthly donation report received from Library District for June 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-10-013-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **STADIUM DISTRICT AGENDA**

The Board of Directors of the Stadium District convened in Formal Session at 9:00 AM on Wednesday, July 22, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Don Stapley, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **S-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors meetings held April 1, 2009; May 6, 2009 and May 20, 2009. (C-06-10-011-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Official Record Keeper